

By Mr. PEARRE: Petition of Frank Thomas Post, No. 30, Grand Army of the Republic, Department of Maryland, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petitions of Robert L. Beeman and 49 citizens of Lonaconing, Md., and W. E. Wagus and 50 other citizens of Frostburg, Md., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. POWERS of Maine: Paper to accompany House bill granting a pension to James Speed, jr., Bradford, Me.—to the Committee on Invalid Pensions.

By Mr. RAY of New York: Resolutions of Order of Railway Conductors, Corning, N. Y., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petitions of citizens of Washington, D. C., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Union No. 222, of Fort Wayne, Ind., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RIXEY (by request): Petition of William Bushby, of Washington, D. C., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RYAN: Petition of Journeymen Barbers' Union No. 141, Buffalo, N. Y., favoring the passage of House bill 9350—to the Committee on Labor.

Also, resolution of American Paper and Pulp Association, for the establishment of a permanent Census Bureau—to the Select Committee on the Census.

Also, resolution of Western New York Horticultural Society, concerning irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Lake Seamen's Union of Buffalo, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Iron Molders' Union No. 13, Buffalo, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of McMahon Post, No. 208, Grand Army of the Republic, Buffalo, N. Y., favoring House bill 10150—to the Committee on Invalid Pensions.

By Mr. SCHIRM: Resolutions of Glass Bottle Blowers' Union No. 9; Baltimore Division, No. 337, Order of Railroad Conductors, and petition of citizens of Baltimore, Md., relating to Chinese exclusion and immigration—to the Committee on Foreign Affairs.

By Mr. SCOTT: Petition of citizens of Pittsburg, Kans., for reciprocity measures with Cuba—to the Committee on Ways and Means.

By Mr. SHERMAN: Resolutions of Union No. 90, Order of Railroad Telegraphers, Utica, N. Y., for the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. HENRY C. SMITH: Resolutions of Edward Pomeroy Post, No. 48, in favor of House bill 7924, placing the name of Joseph R. Smith on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: Resolutions of Brotherhood of Railroad Trainmen, Union No. 436, of Pontiac, Mich., and of Bricklayers' Union No. 12, of Flint, Mich., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Post No. 455, Grand Army of the Republic, of Montrose, Mich., and of United Association, Local Union No. 241, American Federation of Labor, of Flint, Mich., urging the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Pontiac Lodge, No. 436, of Railroad Trainmen, for legislation requiring greater safety in operating trains—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHARD: Resolutions of Core Makers' Union No. 70, International Brotherhood of Blacksmiths, Carpenters and Joiners' Union No. 557, and of Bricklayers' Union No. 3, of Toledo, Ohio, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Allied Metal Mechanics' Union No. 18, of Granite Cutters' Union, of International Brotherhood of Electrical Workers' Union No. 8, of Bricklayers' Union No. 3, of Freight Handlers' Union No. 121, of International Association of Machinists No. 105, of International Brotherhood of Blacksmiths No. 98, and of Core Makers' Union No. 70, all of Toledo, Ohio, favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

Also, resolutions of Brass Workers' Union No. 2 and Carpenters' Union No. 25, of Toledo, and Post No. 110, of Bloomdale, Ohio, Grand Army of the Republic, favoring the construction of

war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Egbert Command, No. 101, Corps of Ohio, Spanish War Veterans, Toledo, Ohio, favoring thanks of Congress and presentation of gold medal to Miss Clara Barton—to the Committee on Military Affairs.

By Mr. SULZER: Resolutions of Interstate Irrigation Congress, Colorado, favoring the irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. THAYER: Resolutions of Team Drivers' International Union No. 196, of Worcester, Mass., favoring a further extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Worcester Lodge, No. 339, International Association of Machinists; Team Drivers' International Union, Local Union No. 196; International Union of Steam Engineers No. 78, and of Stone Masons' Union No. 29, of Worcester, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. THOMAS of Iowa: Resolution of Sanborn Division, No. 11, of Mason City, Iowa, and Division No. 113, of Des Moines, Iowa, Brotherhood of Locomotive Engineers, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Fort Dodge Division of Order of Railway Conductors, for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. TOMPKINS of New York: Resolution of Lucky Thought Lodge, No. 232, Brotherhood of Locomotive Firemen, Middletown, N. Y., favoring the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of citizens of Orange County, N. Y., for the protection of native races in the islands of the Pacific and elsewhere against the sale of opium and intoxicants—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of Typographical Union No. 305, of Newburgh; Bricklayers' Union No. 68, and Cigar Makers' Union No. 488, of Middletown, N. Y., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 574, Cigar Makers' Union No. 488, and Bricklayers' Union No. 68, all of Middletown, and Typographical Union of Newburgh, N. Y., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. TOMPKINS of Ohio: Petition of Stereotypers' Union No. 14, Columbus, Ohio, against foreign immigration—to the Committee on Immigration and Naturalization.

Also, petition of Stereotypers' Union No. 14, Columbus, Ohio, favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. WILSON: Resolution of Watchcase Makers' Union of Brooklyn, N. Y., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of Interstate Irrigation Congress of Colorado and Nebraska in joint convention, favoring irrigation surveys and the construction of reservoirs for flood-water storage—to the Committee on Irrigation of Arid Lands.

Also, petitions of the officers of First Artillery, Second Brigade, National Guard of California, of San Francisco, favoring the passage of House bill 11654, to increase the efficiency of the militia—to the Committee on Militia.

By Mr. WILLIAMS of Illinois: Petition of C. C. Moore Post, No. 774, Department of Illinois, Grand Army of the Republic, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

SENATE.

WEDNESDAY, March 12, 1902.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

PROMOTION OF COMMERCE.

Mr. BERRY. Mr. President, I desire to give notice that when the ship-subsidy bill comes before the Senate for consideration to-morrow I shall ask permission to address the Senate upon it.

KANSAS INDIANS OF OKLAHOMA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs and accompanying agreement and memorial of the Kansas or Kaw tribe of Indians of Oklahoma relative to their tribal lands and funds; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

RAILROADS IN CUBA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 18th ultimo, a letter from the military governor of Cuba, together with a report of the minister of public works, relative to the granting of permits for the building of railroads in the island of Cuba; which, with the accompanying papers, was referred to the Committee on Relations with Cuba, and ordered to be printed.

HEIRS OF JOHN CLEMSON AND JOHN G. COOKSON.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the heirs of John Clemson, deceased, and of John G. Cookson, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

GERTRUDE A. LEFTWICH.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Gertrude A. Leftwich, widow of John Leftwich, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

J. G. COOPER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of J. G. Cooper, administrator of Eliza Lawrence, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRANK B. TOMS AND SALLIE T. ELLIOTT.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Frank B. Toms and Sallie T. Elliott, sole heirs of Henry C. Toms, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 646) for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.; and

A bill (H. R. 4381) to authorize the Central Railway of West Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

PETITIONS AND MEMORIALS.

Mr. HOAR presented the petition of R. O. White and sundry other citizens of Orange, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the memorial of Frederick B. Allen, of Boston, Mass., remonstrating against the management and control of vice by the board of health in Manila, P. I.; which was referred to the Committee on the Philippines.

He also presented a petition of Local Union No. 2, American Federation of Labor, of North Adams, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Cigar Makers' Local Union No. 169, of Cambridge; of Typographical Union No. 276, of New Bedford; of Local Union No. 36, of Greenfield, and of Typographical Union No. 216, of Springfield, all of the American Federation of Labor, in the State of Massachusetts, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented a petition of Typographical Union No. 6, American Federation of Labor, of New York City, praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HALE presented a petition of the Central Labor Union, American Federation of Labor, of Portland, Me., and a petition of the Atlantic Coast Seamen's Union, International Seamen's Union of America, of Portland, Me., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

He also presented a petition of E. H. B. Wilson Post, No. 116, Department of Maine, Grand Army of the Republic, of Orono, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of West Minot, Winterport, West Madison, and Thorndike, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Dixfield and Bluehill, of Granite Cutters' National Union of St. George, of the Central Labor Union of Portland, of Granite Cutters' National Union of Norridgewock, of Cigar Makers' Local Union No. 179, of Bangor, and of Granite Cutters' National Union of Portland, all of the American Federation of Labor, in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. WELLINGTON presented a petition of 309 citizens of Maryland, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Potomac Lodge, No. 2, American Federation of Labor, of Cumberland, Md., and a petition of the Independent Trades Council, American Federation of Labor, of Cumberland, Md., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of 50 citizens of Queen Anne County, 22 citizens of Kennedyville, and of 51 citizens of Frostburg; of Local Division No. 337, Order of Railway Conductors, of Baltimore; of Glass Bottle Blowers' Local Union No. 9, of Baltimore; of Bakers and Confectioners' Local Union No. 12, of Baltimore; of the Granite Cutters' Union of Granite; of Tobacco Workers' Local Union No. 70, of Baltimore, and of Granite Cutters' Local Union No. 1, of Guilford, all of the American Federation of Labor, in the State of Maryland, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. CLARK of Montana presented a petition of members of Companies K and M of Montana Volunteers, of Anaconda, Mont., praying for the enactment of legislation providing for the relief of volunteer officers and soldiers who served during the Spanish-American War and who served beyond the period of their enlistment; which was referred to the Committee on Military Affairs.

He also presented a memorial of Typographical Union No. 256, American Federation of Labor, of Great Falls, Mont., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented the petition of R. Lee McCulloch, adjutant-general of the State of Montana, of Hamilton, Mont., praying for the enactment of legislation to promote the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented petitions of the Iron Molders' Local Union No. 309, of Anaconda; of Typographical Union No. 256, of Great Falls; of Cigar Makers' Local Union No. 361, of Butte; of Bricklayers and Masons' Local Union No. 1, of Butte; of Bricklayers and Masons' Local Union, No. 3, of Greatfalls, and of Bricklayers' Local Union No. 2, of Anaconda, all of the American Federation of Labor, and of National Park Lodge, No. 295, Brotherhood of Railroad Trainmen, of Livingston, all in the State of Montana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GAMBLE presented the petition of John D. Small and 50 other citizens of Milbank, S. Dak., and the petition of Lars Berglund and 50 other citizens of Frank, S. Dak., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of J. H. Carleton Post, No. 17, Department of South Dakota, Grand Army of the Republic, of Parker, S. Dak., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. DILLINGHAM presented a petition of the Granite Cutters' National Union, of Williamstown, Vt., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of sundry citizens of Temple, N. H., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Mount Washington Lodge, No. 461, Brotherhood of Locomotive Firemen, of Woodsville, N. H., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of

"restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of East Manchester, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Chester, N. H., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Typographical Union No. 6, American Federation of Labor, of New York City, praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CARMACK presented petitions of Local Unions Nos. 261, 185, 24, 3, 111, 49, 127, 20, and 4349, of Knoxville, Nashville, Jackson, Memphis, and Chattanooga, all of the American Federation of Labor, in the State of Tennessee, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FOSTER of Washington presented a petition of sundry citizens of Buckley, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of T. P. Price Post, No. 82, Department of Washington, Grand Army of the Republic, of Centralia, Wash., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a memorial of Typographical Union No. 202, American Federation of Labor, of Seattle, Wash., remonstrating against the immigration of cheap labor from the south and east of Europe; which was referred to the Committee on Immigration.

He also presented petitions of Typographical Union No. 202, of Seattle; of Bakers and Confectioners' Local Union No. 126, of Tacoma, and of Stonemasons' Local Union No. 4, of Spokane, all of the American Federation of Labor, in the State of Washington, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. SPOONER presented memorials of Typographical Union No. 23, of Milwaukee, and of Typographical Union No. 211, of Oshkosh, of the American Federation of Labor, in the State of Wisconsin, remonstrating against the passage of Senate bill No. 2894, to amend the copyright law; which were referred to the Committee on Patents.

He also presented petitions of Typographical Union No. 211, of Oshkosh, and of Kaukauna Lodge, No. 474, International Association of Machinists, of Kaukauna, in the State of Wisconsin, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of Local Union No. 375, Retail Clerks' International Protective Association, of Marinette, Wis., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a memorial of Julius Fierek and 28 other citizens of Torun, Wis., remonstrating against the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented petitions of Bricklayers and Masons' Local Union No. 7, of Janesville; of Musicians' Protective Union No. 182, of Neenah and Menasha; of Retail Clerks' Local Union No. 453, of Neenah; of Paper Makers' Local Union No. 25, of Neenah; of Cigar Makers' Local Union No. 363, of Waukesha; of the Order of Railway Conductors, of Baraboo; of Typographical Union No. 211, of Oshkosh, and of Bricklayers and Masons' Local Union No. 11, of Sheboygan, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. QUARLES presented a memorial of Typographical Union No. 25, American Federation of Labor, of Milwaukee, Wis., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented petitions of Local Division No. 68, Order of Railway Conductors, of Baraboo; of Typographical Union No. 211, of Oshkosh; of the Musicians' Protective Union No. 182, of Neenah and Menasha; of Bricklayers and Masons' Local Union No. 9, of Oshkosh; of Paper Makers' Local Union No. 25, of Neenah; of Cigar Makers' Local Union No. 168, of Oshkosh; of Bricklayers and Masons' Local Union No. 11, of Sheboygan; of Boot and Shoe Workers' Local Union No. 282, of Neenah; of Cigar Makers' Local Union No. 85, of Eau Claire, and of Longshoremen's Local Union No. 56, of Port Wing, all of the American Federation of Labor; of the Lake Seamen's Union, International Seamen's Union of America, of Milwaukee, and of Marine Coun-

cil No. 1, International Seamen's Union of America, of Milwaukee, all in the State of Wisconsin, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HEITFELD presented a petition of Typographical Union No. 271, of Boise City, Idaho, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Burke, Idaho, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

Mr. BATE presented a petition of sundry citizens of Shop Spring, Tenn., praying for the enactment of legislation imposing a tax of 10 cents per pound on oleomargarine sold in imitation of butter; which was ordered to lie on the table.

Mr. FORAKER presented petitions of Federal Labor Union No. 6876, of Chillicothe, and of the Watch Case Engravers' International Association of Canton, in the State of Ohio, praying for the enactment of legislation authorizing the construction of irrigation works for the reclamation of the arid lands of the country; which were ordered to lie on the table.

He also presented petitions of United Brotherhood of Carpenters and Joiners' Local Union No. 705, of Lorain; of Ship Carpenters' Local Union No. 6976, of Toledo; of Amalgamated Wood Workers' Local Union No. 134, of Piqua; of the Central Labor Council of Cincinnati; of International Association of Machinists Lodge No. 407, of Canton, and of International Association of Machinists Lodge No. 241, of Hamilton, all in the State of Ohio, praying for the repeal of the so-called desert-land act; which were referred to the Committee on Public Lands.

He also presented petitions of 102 citizens of Newark, of 71 citizens of Cleveland, of 42 citizens of Utica, of 8 citizens of Homer, and of sundry citizens of Collingwood, Independence, and East Liverpool, all in the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of 136 members of Montville Grange, No. 136, Patrons of Husbandry, of Medina, and of sundry citizens of Galena, Salem, Kingston, Sullivan, Fremont, Snyder, Fayette, Lenox, Mulberry Corners, Buford, Reilly, Brighton, Meade, West Mansfield, Bellville, Rapids, Sylvania, Huntsburg, Dennison, Orangeville, Canton, Harrisville, and Youngstown, all in the State of Ohio, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Cigar Makers' Local Union No. 481, of Cincinnati; of Stationary Firemen's Local Union No. 49, of Cincinnati; of Beer Drivers and Stablemen's Local Union No. 175, of Cincinnati; of Boot and Shoe Workers' Local Union No. 68, of Cincinnati; of Cigar Makers' Local Union No. 4, of Cincinnati; of International Jewelry Workers' Local Union No. 4, of Cincinnati; of Howe Federal Labor Union, No. 6697, of Cincinnati; of Boot and Shoe Cutters' Local Union No. 210, of Cincinnati; of Theatrical Stage Employees' Local Union No. 12, of Columbus; of Boot and Shoe Workers' Local Union No. 241, of Columbus; of Painters, Decorators, and Paper Hangers' Local Union No. 248, of Columbus; of Amalgamated Wood Workers' Local Union No. 174, of Columbus; of Typographical Union No. 5, of Columbus; of Carriage and Wagon Workers' Local Union No. 16, of Columbus; of Belmont Lodge, No. 46, Amalgamated Association of Iron, Steel, and Tin Workers, of Martins Ferry; of Eagle Lodge, No. 15, Amalgamated Association of Iron and Steel Workers, of Ironton; of Iron City Lodge, No. 9435, American Federation of Labor, of Ironton; of Lodge No. 105, International Association of Machinists, of Toledo; of the Central Trades and Labor Council of Zanesville; of the Central Trades Council of Sidney; of the Central Labor Council of Cincinnati; of Local Branch No. 20, Glass Bottle Blowers' Association, of Zanesville; of Painters and Decorators' Local Union No. 490, of Chillicothe; of Federal Labor Union No. 8170, of Coshocton; of Amalgamated Wood Workers' Local Union No. 134, of Piqua; of Longshoremen's Local Union No. 98, of Conneaut; of Oil and Gas Well Workers' Local Union No. 1, of Bowling Green; of Iron Molders' Local Union No. 352, of Bucyrus; of Operative Potters' Local Union No. 31, of East Palestine; of Job Pressmen's Assistants' Local Union No. 12, of Dayton; of Operative Potters' Local Union No. 9, of East Liverpool; of Chair Makers' Local Union No. 22, of Kent; of Wood Workers' Local Union No. 179, of Mansfield; of Cigar Makers' Local Union No. 79, of Sandusky; of Painters, Decorators, and Paper Hangers' Local Union No. 93, of Marietta; of Carpenters and Joiners' Local Union No. 171, of Youngstown; of Operative Potters' Local Union No. 24, of Wellsville; of Bakers and Confectioners' Local Union No. 96, of Springfield; of Tin Plate Workers' Local Union No. 12, of Martins Ferry; of 50 citizens of Wade; of 80 citizens of

Kyger; of 18 citizens of Dayton; of 15 citizens of Condit; of 3 citizens of Croton; of 48 citizens of Urbana; of 3 citizens of Galena; of 47 citizens of Marion; of 22 citizens of Sunbury; of 76 citizens of Marietta; of 27 citizens of Hillsboro; of 27 citizens of Hannibal, and of 52 citizens of Cleveland, all in the State of Ohio, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. ELKINS presented petitions of sundry citizens of Moundsville, Arnettville, Branch, Perry, and Spilman, all in the State of West Virginia, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Bricklayers' Local Union No. 4, American Federation of Labor, of Fairmont; of Bricklayers' Local Union No. 6, American Federation of Labor, of Parkersburg, and of sundry citizens of Marshall county, Belleville, Dobbin, Harrison County, and Wise, all in the State of West Virginia, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented petitions of J. H. True and 36 other citizens of North Fayette, of E. G. Lander and 45 other citizens of Thorndike, of Pomona Grange, Patrons of Husbandry, of Sagadahoc County, and of Minerva Grange, Patrons of Husbandry, of Levant, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. KITTREDGE. I present a joint resolution of the legislature of South Dakota, requesting Congress to grant to that State an absolute title to the one section of land of the Fort Sisseton Military Reservation and buildings thereon. I ask that the memorial be printed in the RECORD and referred to the Committee on Public Lands, to accompany a bill which I shall introduce when that order is reached.

The memorial was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

House joint resolution No. 13. A joint resolution and memorial requesting Congress to grant to the State of South Dakota an absolute title to the one section of land of the Fort Sisseton Military Reservation and the buildings thereon.

Be it resolved by the house of representatives (the senate concurring). Whereas there was granted to the State of South Dakota by act of the Congress of the United States, October 1, 1890, a certain tract of land which was comprised of one section of land of the Fort Sisseton Military Reservation, to be held by the State of South Dakota under certain conditions therein provided; and

Whereas the State of South Dakota desires to secure a complete and perfect title to the same: Therefore be it

Resolved. That we respectfully petition and memorialize the Congress of the United States to grant to the State of South Dakota, at an early date, a complete and perfect title to the said land and buildings thereon; and be it

Further resolved. That we request our Senators and Representatives in Congress to use their best efforts to compass this end; and the secretary of state is hereby instructed to forward copies of this memorial to the President of the Senate, Speaker of the House of Representatives, and each of our Senators and Representatives in Congress.

Mr. SCOTT presented a petition of sundry citizens of Elkins, W. Va., praying for the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 9332) to authorize the Dothan, Hartford and Florida Railway Company to construct a bridge across East St. Andrews Bay, navigable water, at a point about 1 mile east of Farndale, in the State of Florida; and.

A bill (H. R. 10305) to amend section 14 of the act approved June 29, 1898, entitled "An act to provide for the construction of a bridge across the Niagara River."

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4414) granting an increase of pension to Albertine Schoenecker; and

A bill (H. R. 11144) granting an increase of pension to Anderson Howard.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 3908) granting homesteaders on the abandoned Fort Bridger Military Reservation, in Wyoming, the right to purchase one-quarter section of public land on said reservation as pasture or grazing land, reported it with amendments.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River," reported it without amendment.

Mr. BURTON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 4363) granting the Central Arizona Railway Company a right

of way for railroad purposes through the San Francisco Mountains Forest Reserve, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1298) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado, reported it with an amendment, and submitted a report thereon.

MONUMENT OF COUNT DE ROCHAMBEAU.

Mr. CULLOM, from the Committee on Foreign Relations, reported a joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of General de Rochambeau to be unveiled in the city of Washington; which was read the first time by its title.

Mr. CULLOM. Mr. President, this is a matter that I think ought to be attended to without delay, as it will be but a little while before the occasion referred to in the joint resolution will take place, and if we are going to send an invitation to be present on the occasion it ought to be done at once. I ask, therefore, that the joint resolution be read in full and that it be put on its passage.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the President be, and is hereby, authorized and requested to extend to the Government and people of France and the family of General de Rochambeau, commander in chief of the French forces in America during the war of independence, a cordial invitation to unite with the Government and people of the United States in a fit and appropriate dedication of the monument of General de Rochambeau to be unveiled in the city of Washington on the 24th day of May, 1902; and for the purpose of carrying out the provisions of this resolution a sum not to exceed \$20,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HOAR. Mr. President, I should like to move an amendment to the joint resolution, with the leave of the gentleman who has it in charge, so as to make it read "the families of Admiral Rochambeau and of Lafayette."

Lafayette stands in a relation to our war of independence which no other person occupies, and he has always had the gratitude and affection of the American people. He was, more than any other man, as a son to Washington, and he was regarded not merely as an individual who sympathized with us, but as the representative of the sympathy and affection of the whole French people. He was received afterwards as the nation's guest when he visited this country in 1824.

I did not know this matter was coming up until a minute ago, but I take this special opportunity to call attention to it because of one circumstance which may probably be thought to indicate an indifference on our part to the memory of Lafayette and a chill in our gratitude toward that beloved benefactor.

The Continental Congress, after the peace of 1783, voted a monument to General Lafayette, which vote was never carried out until within very recent years. But when any Frenchman or any friend of Lafayette called attention to the omission the answer always was that we have paid to him the most conspicuous honor ever paid to any person save Washington alone; that the portrait of Lafayette by Ary Scheffer, the great artist, hangs on one side of the door of the Speaker of the House of Representatives, the picture of Washington hanging on the other, the portrait of no other person being admitted to the Chamber occupied by that great assembly.

Now, for some reason which I do not know, within the past two or three months the picture of General Lafayette has been removed from the single most conspicuous place of honor, in the judgment of all Americans, in this world. I hope it may be restored, and I believe it will be restored before long; but in the meantime I think this invitation to Rochambeau should be accompanied by a similar honor to the family of Lafayette, who took part, as is well known, in the great transaction which completed the Revolutionary war.

The PRESIDENT pro tempore. The Senator from Massachusetts proposes an amendment which will be read.

Mr. CULLOM. I have no objection to the amendment.

Mr. HOAR. Substitute the word "families" for "family" and insert "General Lafayette" after the name of Rochambeau. The PRESIDENT pro tempore. The Chair calls the attention of the Senator to the amendment as it will be read.

Mr. CULLOM. Let it be read.

The SECRETARY. After the word "Independence" insert "and

to the family of Marquis de Lafayette," so that if amended the joint resolution will read:

Resolved by the Senate, etc., That the President be, and is hereby, authorized and requested to extend to the Government and people of France and the family of General de Rochambeau, commander in chief of the French forces in America during the war of independence, and to the family of Marquis de Lafayette, a cordial invitation to unite with the Government and people of the United States in a fit and appropriate dedication of the monument of General de Rochambeau to be unveiled in the city of Washington on the 24th day of May, 1902, etc.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CULLOM. There seems to be a question whether the word "General" is proper there. Probably it ought to be "Count" instead of "General."

Mr. MORGAN. Count de Rochambeau.

Mr. GALLINGER. Count.

Mr. CULLOM. Count is the proper term, I think, to be used.

Mr. BACON. I am sure the Senator from Illinois is correct. He is universally known in France as Count de Rochambeau.

Mr. CULLOM. Let that amendment be made.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Strike out "General" where it appears before "de Rochambeau" and insert "Count."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau to be unveiled in the city of Washington."

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 4441) granting an increase of pension to Silas C. Thomas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4442) to correct the military record of Sylvester Weaver; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4443) granting an increase of pension to Thomas Bassett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4444) granting an increase of pension to Ephraim R. Knoy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 4445) to amend section 2322 of the Revised Statutes of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. MILLARD introduced a bill (S. 4446) to provide for the purchase of a site and the erection of a public building thereon in the city of Kearney, State of Nebraska; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. CARMACK introduced a bill (S. 4447) for the relief of S. R. McAlexander; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4448) for the relief of the estate of Charles W. Moorman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4449) granting a pension to James P. Hopkins; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for pension of \$12 per month of James P. Hopkins, Company D, Fifteenth United States Reserve Corps, Missouri Home Guards, with affidavits of Dr. W. G. Hopkins, A. M. Potts, William Underwood, Henry J. Eaton, and Clark H. Grant, and reports from War Department and Auditor for the War Department. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. KITTREDGE introduced a bill (S. 4450) confirming in the State of South Dakota title to a section of land heretofore granted to said State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SPOONER introduced a bill (S. 4451) granting an increase of pension to Dolphus S. Woolley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were sev-

erally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4452) to restore William W. McAllister to the pension roll;

A bill (S. 4453) granting a pension to Halle W. Dale;

A bill (S. 4454) granting an increase of pension to John D. Sullivan; and

A bill (S. 4455) granting an increase of pension to Hallowell Goddard.

Mr. FORAKER introduced a bill (S. 4456) to apportion the term of office of seven senators elected at the first general election of the Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 4457) granting an increase of pension to William B. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RAWLINS introduced a bill (S. 4458) ratifying the act of the Territorial legislature of Arizona, approved March 2, 1901, providing a fund for the erection of additional buildings for the University of Arizona; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4459) for the relief of Navajo County, Ariz.; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4460) authorizing the adjustment of the rights of settlers on certain Executive order Indian reservations in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORGAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4461) for the relief of the estate of Ransom Day, deceased;

A bill (S. 4462) for the relief of John Edwards; and

A bill (S. 4463) for the relief of Joseph Lightfoot.

Mr. MARTIN (for Mr. DANIEL) introduced a bill (S. 4464) for the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (for Mr. DANIEL) introduced a bill (S. 4465) for the relief of John A. Fairfax; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 4466) granting a pension to Archibald McIntire; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 4467) granting a pension to Richmond L. Weston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE (by request) introduced a bill (S. 4468) granting to the Telephone Company of America, a corporation organized under the laws of the State of Delaware, its successors and assigns, the right and privilege to construct and maintain conduits for telephone and telegraph lines, and to construct, maintain, and operate a telephone exchange system and telegraph lines in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 4469) extending the time for the completion of a wagon motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896, and as extended by the act approved January 27, 1900; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL. I present a petition of the city officials and citizens of St. Charles, Mo., praying for an extension of the time for completing the bridge as provided for in an act approved June 3, 1896, and extended by the act approved January 27, 1900, together with copies of each act. I move that the petition and papers be referred to the Committee on Commerce, to accompany the bill.

The motion was agreed to.

Mr. CULLOM introduced a bill (S. 4470) for the relief of Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURTON introduced a bill (S. 4471) for the relief of David Hogan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 4472) to refer the claim of Mrs. Sarah Autrey to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4473) to refer the claim of John Sampey to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4474) to refer the claim of Mrs. Addie E. Amos to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4475) granting to the Mobile,

Jackson and Kansas City Railroad Company the right to use for railroad purposes the tract of land at Choctaw Point, Mobile County, Ala., and now held for light-house purposes; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO BILLS.

Mr. McLAURIN of South Carolina submitted an amendment to be proposed by him to the bill (H. R. 3341) for the allowance of certain claims for property taken for military purposes within the United States during the war with Spain, reported by the Secretary of War in accordance with the requirements of an item contained in the sundry civil appropriation act approved June 6, 1900, authorizing and directing the Secretary of War to investigate just claims against the United States for private property taken and used in the military service within the limits of the United States, etc.; which was referred to the Committee on Claims, and ordered to be printed.

Mr. TALLAFERRO submitted an amendment proposing to increase the appropriation for improving the St. Johns River, Florida, from Jacksonville to the ocean, from \$350,000 to \$500,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$300,000 for improving Biscayne Bay, Florida, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HEITFELD submitted an amendment proposing to appropriate \$465,566.09 to be paid to the Delaware tribe of Indians residing in the Cherokee Nation, in the Indian Territory, as such tribe in council shall direct, the same being the aggregate difference between the coin value of payments made in currency during the years 1862 and 1878, both inclusive, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HEITFELD. I present the memorial of Richard C. Adams, representing the Delaware Indians, together with sundry other papers relative to the claim of these Indians. I move that the memorial and accompanying papers be printed as a document and referred to the Committee on Indian Affairs, to accompany this amendment.

The motion was agreed to.

RESTRAINING ORDERS AND INJUNCTIONS.

On motion of Mr. HOAR, it was

Ordered, That the bill S. 1118, Fifty-seventh Congress, first session, be reprinted for the use of the Senate.

REORGANIZATION OF THE CONSULAR SERVICE.

On motion of Mr. LODGE, it was

Ordered, That 500 extra copies of S. 1618, "to provide for the reorganization of the consular service of the United States," and the report (No. 490) thereon, be printed for the use of the Committee on Foreign Relations.

HEIRS OF J. W. FLANAGAN.

Mr. BAILEY (by request) submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to Webster Flanagan, James W. Flanagan, Mrs. Fannie Swan, Mrs. Emma Flanagan, Mrs. Marion Gates, R. B. Flanagan, and Mrs. Laura Stewart, or to their legal representatives, heirs of J. W. Flanagan, formerly a Senator from the State of Texas, \$5,356.16, due him as a Senator of the United States in the Forty-first Congress, from the 4th of March, 1869, to the 29th of March, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

SHIPMENTS IN GOVERNMENT TRANSPORTS.

Mr. RAWLINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is directed to send to the Senate the reports of inspectors Carpenter and Maus and any other information, if any, in possession of the War Department relating to the free shipment or transportation of goods for private firms or individuals, to or from the Philippine Islands, in Government transports.

RATES OF MAIL PAY.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate at the earliest practicable day to what extent the mail pay provided for by Senate bill 1348 increases the mail pay now authorized by law; and also whether the rates of mail pay and general subsidy provided by said bill are more or less in effect than the subsidy rates provided by Senate bill 727, introduced December 6, 1899, first session Fifty-sixth Congress; and if more, how much more; and if less, how much less.

CONSIDERATION OF THE CALENDAR.

Mr. HALE. Mr. President, I gave notice yesterday that at the end of the routine morning business to-day I should ask the Senate to proceed to the Calendar. It is now very small and can easily be disposed of in one day. But the Senator from North Dakota desires to address the Senate this morning, and I shall not insist upon the request, but will call up the Calendar to-morrow morning.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. McCUMBER. Mr. President, so far the shipping bill has been discussed almost wholly by those who claim to have a special knowledge of the subject, by those who reside in and who represent States on the seacoast. I regarded it, therefore, as possibly appropriate that it might also be considered by one representing almost purely agricultural interests and a State which is about midway between the two oceans.

Mr. President, as I am not a member of the Committee on Commerce, therefore, in considering this bill, I do not feel called upon to discuss it minutely and follow its provisions into all possible details. I have no expert knowledge of shipping and its particular interest. The bill, however, is one which, while it deals with only one industry, by its very nature vitally and directly affects every interest in the United States, none more than the agricultural interests.

I, however, believe that I understand quite fully the general scope and effect of the provisions of the proposed act, and I purpose briefly to apply it to the general conditions of the country at the present time, and determine from such application what I believe to be its fair effect.

The Senator from Arkansas [Mr. BERRY], in his address on the general subject of ship subsidy in the Fifty-sixth Congress, said, in substance, that he did not understand how any person representing an agricultural section could conscientiously support a bill of that character. He could not see how anyone representing the farming element in the country could vote for that bill. As this bill is of the same general nature, and has identically in view the same objects, I assume that it is viewed by him in the same light. And inasmuch as I represent a purely agricultural section of the country, I feel justified in considering this bill and, consequently, replying to this statement, and considering it from the standpoint of the Western agriculturalist.

My State, as I have suggested, lies about midway between the two oceans. Ninety per cent of its entire product must be either shipped to Pacific or to Atlantic ports, and about that proportion of its products must go outside of the United States. We can easily see, therefore, how vitally interested we are in anything that affects either rail or ocean transportation.

The object of this bill is to advance into another field of operation that governmental policy of protection to American industries that has resulted so favorably in the past in the welfare of the American people, and has been so strongly indorsed by them during the last forty years. The objects sought to be attained by this bill, and, if the optimistic views of the framers—of the majority of the Committee on Commerce—are well founded, will be secured, are as follows:

First. A restoration of the merchant marine, affording in time of war and public necessity a sufficient number of ships convertible into transports or cruisers, which may by requisition be brought into public service;

Second. A saving of a very large sum of money, estimated at \$150,000,000 or more per annum, to the American people which is now paid to foreign shipowners and their crews for the transportation of articles of American commerce;

Third. Enabling the American people, by the extra sums to be paid under this bill, to compete with foreign shipowners, so that the American commerce, or at least a fair and honest proportion thereof, may be carried in American vessels; and

Fourth. That in time of conflict between any of the nations who are now carrying the bulk of our commerce we may not suddenly be thrown into a position where we are at the absolute mercy of foreign shipowners whose countries are so involved.

Now, Mr. President, every one of these objects deserve the patriotic consideration of American legislators. Our lost prestige upon the ocean ought to intensify our desire to restore our old supremacy. The fact that only 8 per cent of the exports and imports of this country are carried in American bottoms under the American flag is a condition, when compared with the greatness of the country and its excelling proportions in all other matters, that ought not to be tolerated.

Mr. President, in the year 1826 92½ per cent of all our foreign commerce, both exports and imports, was carried in American bottoms and only 7½ per cent in foreign vessels. In 1901, seventy-five years thereafter, this condition is absolutely reversed, and in the last year only 8½ per cent of our exports and imports were carried in American bottoms and 91½ per cent in foreign vessels.

To say that this is a matter of deep chagrin is putting it too lightly. In my opinion it is a matter of deep disgrace to the American people. The provisions of this bill, reduced to their simplest form, consist of a proposition for the protection of

American shipping. It is the protection policy of the Government pressed into a new channel where its potency for building up and reviving is sadly needed. Our comparatively weak position in the merchant marine of the world must be a glaring object lesson of the inefficiency of anything bordering upon free trade with the balance of the world. Protection to our goods and to the industries which produce them is fast giving us the supremacy of the world. The nonprotection of American ships which carry that commerce is fast losing for us our merchant marine, if it has not already reduced it to such an extent that the remnant is scarcely worth the honor of that name.

The rather anomalous condition presents itself that while we have been outstripping the balance of the world in the enormous proportion of our manufactured and agricultural exports and the increase of our foreign commerce, we have been losing in a corresponding ratio our merchant vessels, so that at the present time we are compelled to carry almost wholly in foreign ships.

The same rules and regulations which govern in fixing protective rates and in determining whether any protection is necessary as against foreign goods are necessarily applicable in the determination of the question of protection to our merchant marine.

It is needless to say that every American citizen must sympathize with every one of the objects of this bill, and the only question which naturally presents itself is whether the object sought can best be obtained in any other form than that which is practically a subsidy, calling it by whatever name you may see fit.

I have tried, in the time which I could properly allot to the subject, to consider justly and fairly all the matters I could secure bearing upon this important question. I have found no propositions or theories which would appeal to my judgment in favor of any other character of remedy.

No bill has been introduced, to my knowledge, certainly none pressed, which presents any other theory as opposed to the one adopted in this bill in dealing with the question. Vague theories, Mr. President, often find their best refutation when sought to be crystallized into effective legislation. The obstacles, often many and serious, are then brought into prominence.

It has been suggested, for instance, that a bounty upon American exports would be the proper remedy. It is obvious that, other things being in harmony, a bounty on exports would be the most direct and effective remedy which could be devised to stimulate and make profitable our export trade. By a varied scale we could so adjust these bounties that all products could secure proper and adequate protection, according to their interests. The great staple productions of the country—that which makes the wealth of the populace—could secure special privileges corresponding to their importance.

An examination of our many treaties with foreign countries will show us that the granting of a bounty upon American exports or giving preferential duties would be against the direct provisions of the treaty conventions with all the great commercial countries. It has been stated that these treaties provide for their own abrogation, and many of them may be avoided upon one year's notice. It is evident, however, that these treaties should remain in force until new ones are adopted. How long it would require to formulate and secure mutual agreements by other countries interested in such treaties is a question which can not be answered.

But what we know of the changed conditions existing between this country and these other great commercial countries when the treaties were made and we were exporting comparatively little, and the condition which now exists when our exports have become enormous and are threatening the industries of those very countries, leads me firmly to the belief that if those treaties were once abrogated we would never again secure treaties so favorable. But even if favorable treaties could be secured, my opinion is that the conditions are such in the world to-day that nearly all these great commercial powers, in the event of preferential rates being fixed by law for American vessels, could very successfully retaliate.

It is true, also, that we might purchase ships in a foreign market cheaper than we could produce them here, but that is equally true of almost every character of goods, and it is just as reasonable that we should take off our tariffs on the many articles of imports, thus affording no protection whatever to our own industries, as to refuse to grant to the industry of shipbuilding and ship commerce a protection in harmony with all other conditions.

No commercial country is safe—and it takes no argument to verify this—unless it has the facilities and ability to construct and man a large navy in time of war or threatened war, and no nation can do this unless it has at all times extensive shipyards, capable of doing the work, and enough of a merchant marine to be able to man the proper number of ships.

I am therefore constrained to the opinion that the objects sought can better be secured by the methods indicated in the present bill, and that subsidies for American vessels, to an extent

sufficient to enable them to compete with foreign vessels, is the most proper method of disposing of the subject.

To me the one grand object, and the object which is worthy of the greatest consideration, is the reduction of freights on our exports. We have long maintained a position of high and expensive living in this country, more universal among our people, from the laborer to the capitalist, than in any other country in the world. Our peculiarly favorable conditions and situations have enabled us to do this. Having within our own borders, or capable of producing therein, every article of industry or commerce, of food or raiment, we have been enabled to exact commercial tribute from all nations not so favorably situated. We have been enabled, by reason of this, to compel payment of important tariffs as a condition of opening up our great field of consumption to the commerce of the world, while they, in turn, have been compelled for the most part to receive our exports free.

Accustomed to higher wages—to a higher plane of living—than the inhabitants of any other country, any downward step toward an equality with the rest of the world would be followed by consternation and ruin which would bode enormous evils to the country.

Our great prosperity to-day is due to our great trade balance. When we export \$580,000,000 worth of goods a year more than we import, we are \$580,000,000 better off than we were at the beginning of the year. Keep that going for years; keep that money home circulating in the business of our country, and in ten years we would have in property and wealth \$5,000,000,000 as a result of that trade balance alone. Turn that trade against us ten years, and we would bankrupt every industry in the United States.

It is evident, Mr. President, that continued prosperity requires a continuation of the policy which produces it, and to maintain it eternal vigilance and foresight must be exercised, and we must constantly create new fields for enterprise and trade whenever the old show signs of exhaustion.

No nation has ever been a great and prosperous nation until it had become a commercial nation, and no nation has ever become a great commercial nation until it reached a point where its exports exceeded its imports, and its prosperity always has been and always must be in proportion to that excess.

I know that this could not be carried on indefinitely with any single country, but so long as a nation is blessed with particularly favorable conditions so long should it take advantage of those conditions, though it be at the expense of the balance of the world.

That which is threatening our agricultural interest to-day is the enormous and rapidly increasing competition in the agricultural products of the world. The vast increasing exports of grain from South American countries and Russia is having a more or less disastrous effect upon the wheat raisers of our country.

I have here, Mr. President, a number of tables prepared by the Secretary of Agriculture, showing the exports of wheat alone, not considering flour and the manufactures of wheat, of all the great commercial exporting countries of the world:

Wheat exports of the United States, 1891-1901.

Year ended June 30—	Bushels.	Value.
1891	55,181,948	\$51,420,272
1892	157,230,351	161,359,132
1893	117,121,109	93,534,970
1894	88,415,290	59,407,641
1895	76,102,704	43,805,663
1896	60,650,080	39,709,893
1897	79,532,020	49,930,178
1898	148,231,201	145,684,659
1899	139,432,815	104,239,169
1900	161,959,289	73,237,080
1901	132,060,667	96,771,743

Wheat exports of Argentina, 1890-1901.

Calendar years.	Quantity.	
	Kilograms.	Bushels.
1890	327,894,151	12,048,000
1891	335,555,180	14,534,000
1892	470,109,617	17,273,000
	Metric tons.	
1893	1,008,137	37,042,000
1894	1,008,249	59,082,000
1895	1,010,269	37,121,000
1896	523,001	19,217,000
1897	101,845	3,742,000
1898	645,161	23,705,000
	Kilograms.	
1899	1,713,429,306	62,957,000
	Metric tons.	
1900	1,929,676	70,903,000
1901	904,289	33,227,000

Wheat exports of Canada, 1891-1901.

Year ended June 30—	Bushels.	Value.
1891	2,108,216	\$1,583,084
1892	8,714,154	6,947,851
1893	9,271,885	7,060,033
1894	9,272,208	6,183,452
1895	8,825,689	5,359,109
1896	9,919,542	5,771,521
1897	7,855,274	5,544,197
1898	18,963,107	17,813,916
1899	10,305,470	7,784,487
1900	16,844,650	11,995,488
1901	9,739,758	6,871,939

I take now, Mr. President, the wheat exports of Roumania, of Russia, of Bulgaria, and of British India, and I find that there has been a great increase in the wheat exports of all of these wheat-exporting nations, with the exception, possibly, of India.

Now, Mr. President, what remedies are available to the American wheat grower? He can not stop the foreign production, which is ever driving the value of his product downward. There are but three remedies: Increase the demand for home consumption by such legislation as will increase the manufacturing and commercial population of the country, augmenting thereby the home consumption. Secure new foreign fields of consumption. And the answer to this ever beckons us toward the Orient. Lower the freight rates on agricultural exports.

And here we are brought face to face with one of the objects of the bill. Will its effect be to lower freight rates generally? The rule of competition must play as important a factor in the matter of freight rates as in any other avenue of business. Obviously, it must be less liable to be overcome by combinations when the competition is not between citizens of the same country, but between the people of nations foreign to each other, and whose natural competitive policies necessitate the application of the rule.

Of course, freight rates can not be expected to drop below the point of profitability to those engaged in shipping, but we have a right to expect a reduction compatible with the higher wages paid for shipbuilding, the higher prices paid for American ships, the higher salaries paid to American sailors, and the higher expenses of operating American vessels.

On pages 493 and 494 of the report of the Commissioner of Navigation for the year 1901 is a table showing the tonnage of American and foreign vessels entered and cleared in foreign trade from 1821 to 1901. These figures may be interesting to the Senator from Colorado [Mr. TELLER], who asked concerning them in last evening's debate. It will be seen therefrom that the total amount of American tonnage entered and cleared from American ports in 1901 was 12,798,652 and of foreign tonnage of 46,799,262—21 per cent American and 79 per cent foreign.

Now, Mr. President, if we could increase our tonnage, even to the extent of furnishing half of that engaged in our commerce, we would have to increase it about 400 per cent—at the present time fourfold. Assuming that we could do this, and also assuming that the number of foreign vessels would increase with the increased commerce of the world and that there are now enough vessels, and therefore with such increase in the future will be enough to carry all of that commerce, it is obvious that the result would mean either idle foreign vessels or a reduction in freight rates to the lowest profitable point.

The Senator from Georgia [Mr. CLAY], in his address the other day, said:

If the friends of this bill are supporting the measure for the purpose of encouraging shipbuilding and increasing our merchant marine, why did they not provide that such owners of vessels engaged in our foreign trade, before receiving the benefit of the subsidy provided in this bill, should be required to obligate themselves to build new ships to correspond with those receiving the benefit of the subsidy? If the majority are so anxious to build up the merchant marine, why do they not say to the shipowners engaged in our foreign trade, Before you shall go into the public Treasury and receive aid from the Government you shall at least obligate yourselves to build and put in operation similar ships to those receiving Government aid?

How can the majority sustain the position that the prime object of this bill is to increase our merchant marine and to stimulate shipbuilding in the United States, when all vessels, both sail and steam, now in existence are subsidized and permitted to draw from the public Treasury without the owners being required to build other ships to correspond with those receiving the subsidy? This legislation indicates that our friends on the other side of the Chamber are more solicitous about giving aid and encouragement to the owners of ships now in existence than they are to encourage the building and operation of new ships.

Mr. President, the same Senator in his address last year showed, at least to his own satisfaction, and attempted to show to the satisfaction of Senators on this side, that this bill, in the feature in which he now criticises it for not having the same matter as was in the last bill, would be most disastrous and nothing would be obtained therefrom. I do not know how he can justly now criticise this bill for not containing that which he

declared in his speech in the Fifty-sixth Congress could not be accomplished for the benefit of American shipping.

On the whole, the argument of the Senator from Georgia was a double-edged sword which cut deeper backward than it did forward. He claims to have established the fact beyond question, first, that ships can be built as cheaply in this country as anywhere else; secondly, that they can be operated as cheaply; and, thirdly, inferentially, that the amounts received in freights now are reasonably remunerative and profitable.

Now, Mr. President, if the Senator has established that to his own satisfaction, I can not understand how he can deny to the results obtained by him the natural conclusion, which is, that if capital invested in shipping industry is now receiving a fair remuneration and you add greatly to that compensation and contract that it shall be paid for a period of at least fifteen years, an enormous amount of capital will necessarily go into shipbuilding and thereby increase the number of American ships. Certainly they will do that if it is made more profitable.

My own belief is that with the impetus this subsidy will give to shipbuilding and construction and the enlargement of our shipyards, with their labor-saving devices, we will in the course of fifteen years, and possibly sooner, be enabled, without the continuation of this subsidy, to compete in shipbuilding with the balance of the world. If this does come about within that time, then we need not continue these payments, and, as I understand the bill, the subsidies paid under Article II may be repealed at any time; not so, however, with the contracts for carrying the mails.

If this experiment should show that it has accomplished its purpose in a few years, we need not continue it further. On the other hand, if we find it is working harmoniously and find it proper to continue it with like or with less protection, I think the country will rise to the occasion and do what justice may require. Here now is an important feature, Mr. President, to me as important as anything in the bill.

Last year the value of imports and exports of this country amounted to the sum of \$2,151,935,411. Had we retained our proportionate share, that share which we held in 1826, we would have carried in our ships \$1,990,540,155, in round numbers about \$2,000,000,000. Just what proportion of that would be paid out for American ships, to American mechanics, and for American seamen, I do not know, but have been informed that we are now paying out about \$500,000 per day to foreign ships and shipowners for carrying our commerce.

As this would be about 20 per cent of the value of the articles of commerce, I think it is reasonably accurate, although I have not verified it. That would make \$182,500,000 per year. Even, therefore, if the effect of this bill did not operate to reduce rates, as I certainly believe it will, if the rates were to remain the same as now, still I insist that the retention of this vast sum of from \$150,000,000 to \$180,000,000 per year would itself justify the expenditure of these three to five million dollars per year extra which this bill calls for.

In my mind the only justification for the payment of public funds in furtherance of semiprivate business is that the returns from the investment of these public funds to the whole of the people will be in benefits received in excess of the amount paid, which of course must be paid by all of the people. Not only this, but the justification must be based upon the same policy and the same theory which justifies the tariffs upon imported goods, namely, the protection of American industries, and not less important, the retention of the sums paid for articles of consumption as much as possible in our own country.

There are, Mr. President, two important considerations which lie at the very base of the moral right to levy a tax upon foreign importations. The one is, that by so doing we are enabled to develop our own internal resources, and the other, that which to me is far more important, or certainly as equally important, is that the sums which we necessarily expend for the necessities or luxuries of life are kept within our own borders.

A protectionist by education, I deny that the benefits of our protective policy should be limited to the mere protection of infant industries. Mr. President, we shall soon, if we have not already in some of our articles of production, be brought face to face with the question whether this Government shall cut off its protective policy the moment that we find that any character of goods no longer needs protection in this country as against foreign competition.

I deny the proposition that when an article needs no further protection against the invasion of a foreign article we should necessarily cease our protective policy. So long as I support my own family, and so long as a member of that family produces an article which I might need, I am justified, not only morally, but financially, in paying that member of my family 95 per cent premium for the articles so required by me more than I would pay to a stranger.

And no amount of argument and no character of discussion can convince me that if the expenditure of three or five or ten million dollars per year, taken from the public Treasury, will in the course of a very few years operate to retain within this country \$150,000,000 or \$200,000,000 per year to be paid out to American workmen in our shipyards, to American seamen and American sailors and the owners of American vessels, and as income from the investment of American capital—that such expenditure is not for the best interest of the American people, and is not a most profitable and sensible investment, and this whether the effect of the bill is to reduce freights or not.

If, however, these foreign ships, which are now carrying about 92 per cent of our trade, will, after the enactment of this bill into law, be still enabled to make the same profit, they will continue to hold their proportion of the trade, and the increase of the number of our ships would be proportionally equal to the increase of the foreign ships engaged in our trade. Unless the operation of this bill results in reduction of freights, whereby the field of American commerce will be less profitable to foreign investment and more profitable for American investors, the effect of the bill, so far as the reduction of freight rates is concerned, would, to my mind, be a failure.

And if we are to reap the most beneficial object and intent of this bill, the retention of this vast sum of money paid to foreign owners by citizens of this country, it certainly can only be done because we are thereby enabled, not only to compete with, but underbid, foreign vessels in the carrying trade, and thus, in proportion to the extent of the increase in our merchant marine, expel from our trade a corresponding proportion of foreign marine.

I contend, therefore, that the amount to be paid should be sufficient to enable American shipowners, not merely to meet the foreign owners upon an equal basis, but to be enabled to protect themselves against great foreign competition, and this can only be done by lowering freight rates.

It will not take a great number of those ships, which are provided for in this bill, to equal the carrying capacity of the foreign ships engaged in American commerce. As shown by the report of the Commissioner of Navigation for 1900, page 40, the number of steam vessels of over 2,000 tons and of 12 knots speed and over is only 1,109. Of this number 883 are of 14 knots and less, leaving only 323 vessels of this character above 14 knots. There are only 90 vessels above 15 and less than 16 knots, 53 of 16 and less than 17 knots, 49 of 17 and less than 18 knots, 8 of 19 and less than 20 knots, and 19 of 20 knots and over.

I insert the table referred to:

The number of ocean screw steamships over 2,000 gross tons and of 12 knots or over owned by the several countries of the world are as follows:

Nationality of fast steamships.

Nationality.	Speed.									Total ves- sels.
	20 knots.	19 knots.	18 knots.	17 knots.	16 knots.	15 knots.	14 knots.	13 knots.	12 knots.	
British	7	12	23	29	44	61	173	248	597	
American	4	3	7	19	35	23	13	94		
French	2	2	17	5	1	3	44	36	110	
German	5	2	4	10	4	29	46	103		
Italian		1	4	1	3	12	13	34		
Spanish			2	2	4	5	11	24		
Chilean					9		1	10		
Japanese		3		5	3	21	9	41		
Austrian			2	2	2	6	5	17		
Russian	1	4					1	13		
Dutch					3	6	3	17		
Portuguese						4	4	2		
Belgian						1	1	11		
Roumanian		1								
Brazilian							2			
Total	19	8	17	49	53	90	125	334	414	
									1,109	

Much has been said in the argument here in reference to the larger sums which will be received by the fast mail ships; that these vessels carry but a small portion of our products, and that only in concentrated form. This is true. I have a right to assume, however, that vessels of the most profitable size and speed are the ones which will be used to the greatest extent, and that is not always the ship which will receive the greatest subsidy under this bill.

An article by Winthrop Marvin on the shipping bill of the Fifty-sixth Congress, published in the February, 1901, number of the Review of Reviews, gives a table showing the amount that would be received by vessels from 10 to 21 knots, respectively, under that bill, and contains an itemized cost of operating the same. So far as the subsidies or excess of subsidies in that table are concerned, they may not be important here. I, however, insert the entire table.

Knots per hour.	Tons of coal per day.	Number of fire-men.	Cost of coal and handling per annum.	Subsidy.	Excess of subsidy.
10	44	15	\$33,180	\$48,900	\$15,720
11	53	18	40,194	53,130	12,936
12	65	22	49,392	83,160	33,768
13	79	26	60,060	90,090	30,030
14	96	32	72,912	125,420	52,508
15	117	39	88,830	141,750	52,920
16	144	48	108,864	157,920	49,056
17	173	58	131,376	187,070	55,694
18	209	70	158,004	207,900	49,896
19	254	85	192,318	235,410	43,092
20	305	102	231,000	264,600	33,600
21	371	127	281,358	304,290	22,932

Mr. President, I assume that this is substantially correct. From this table it will be observed that a 10-knot ship will pay out per annum for coal and handling \$33,180, one of 20 knots, of the same character, \$231,000; that the double speed instead of doubling the expense increases it nearly eightfold. According to his table, even the difference of 1 knot, that between a 20-knot ship and a 21-knot ship, is \$150,350 per annum, and we must consider not only this extra expense in coal and handling, but the diminution in freight space for the extra amount of coal required.

From the fact that large mail steamers do not carry agricultural products, except in the most concentrated form, I had hoped that the committee could find its way clear to base subsidies upon the amount of cargo actually carried, instead of the gross tonnage of the vessel. This would especially benefit the slower and more exclusively freight ships and induce the building of such vessels, thereby lowering ocean freights. However, the question of what character of ships will be built will not depend wholly on what subsidy particular ships may earn, but on what will be the net earning after considering all expenses. The table I have referred to will give a rather clear understanding on this point.

As suggested before, Mr. President, I believe the interest of our Western wheat growers can best be subserved by securing special low rates on the Pacific, so as to make it profitable to move the crop of the Pacific States westward. This bill is particularly favorable to the Pacific trade.

On account of the great distance, the most economical ship on the Pacific must be one of large tonnage capacity. By basing the amount of payment on the gross tonnage, and not on the actual cargo taken, these Pacific trade ships would reap a higher benefit.

So much of their storage capacity must be taken up with fuel on a long voyage that, on a cargo basis, they would necessarily receive a much smaller relative payment than an Atlantic liner. A comparison of distances between foreign Atlantic and Pacific seaports from our own seaports will make this clear. I shall insert a table of that character, which will speak for itself, and which will show that the distance traveled on the Pacific is, on an average, more than double the distance between important seaports upon the Atlantic.

Distances to foreign ports.

ATLANTIC.		Miles.
New York to Copenhagen		3,408
New York to Sleswick		3,620
New York to Bremen		3,465
New York to London		3,010
New York to Newcastle		3,255
New York to Amsterdam		3,355
New York to Calais		3,206
PACIFIC.		Miles.
San Francisco to Bombay		9,838
San Francisco to Calcutta		8,841
San Francisco to Melbourne		6,954
San Francisco to Canton		6,164
San Francisco to Hongkong		6,088
San Francisco to Nagasaki		5,048
San Francisco to Manila		6,252

It is obvious from this table that, comparatively, the Pacific-trade ships will receive a higher proportion than they would receive were the basis of subsidy made upon cargo and not upon gross tonnage, because they would suffer no relative loss on account of the extra space utilized for coal. This would be of especial benefit to the agricultural sections of the Northwest.

The object of this bill is to increase the number of vessels in our ocean commerce, and no one will claim that it will be increased unless the investment in vessels is made reasonably profitable, and no one will deny that, if investments are made in ships under this bill, they will be made in that class which will be most profitable to the investor.

Hence the investor will not consider merely the amount of subsidy that will be paid to any one ship, but he will naturally take into consideration the necessary operating expenses, and if it be

found by an investigation of the facts, which a prospective investor will judiciously consider, that, notwithstanding the greater amount paid to the owners of the fast mail steamers, a larger profit can be made upon an investment in the slower class, or those whose business is almost exclusively freighting, certainly the effect of the bill will be to increase our Navy not in such ships as the *St. Paul* and the *St. Louis*, but in the profitable freighters of, say, from 5,000 to 7,000 gross tonnage and from 12 to 16 knots.

What the wheat growers west of the Mississippi want to-day is that the surplus grain of the west coast States find an oriental market instead of being thrown back into the interior to swell competition there.

The interest of the people of my section in the future must necessarily be directed toward the Pacific trade, and the vast and rapidly growing surplus of our agricultural products must find a field for consumption in China, in Japan, in the Orient, and in the Philippines; and I believe it to be the duty of the Government to exercise all its powers and to shape its legislation so that this desired result may be attained.

I make no complaint whatever when I say that the agricultural interests of this country have not received their proportionate attention—that attention which they justly deserve at the hands of our National Legislature. There are reasons for this—reasons which grow out of conditions, and are not the result of intentional disregard. The owners of the great manufacturing industries, as compared with the owners of the millions of farms, are comparatively few, can act in harmony, and make their influence more directly felt.

Those influences are naturally directed toward legislation that will enhance the value of their products and guard their future interests. The greater number of laborers employed by these few, intent upon their own interest, organized into effective combinations, pressing for higher wages, crowd the employers to the extreme, and the latter, to meet the additional demands of laborers, press so much the harder upon the Government for legislative benefits and care, and between these forces the agricultural interests are not always benefited, but are often ground. I do not claim that we are not benefited by the additional prosperity which follows.

On the contrary, I fully admit it. I simply desire to express what I feel to be the fact, that we have not the corresponding benefit justly due to our importance and the amount of property invested in the farms and in operating them in the purely agricultural sections. We are enabled to protect to a great extent our manufactured articles. The protection said to be given by our laws to our agricultural products, while it does give them protection as against like imports, can not by any possibility reach beyond our own borders and still leaves us subject to the competition of the world in the sale of at least the wheat of the country, and as about half of the grain raised is for export, it becomes a most important factor.

Mr. President, no tariff law, however well intended, can give adequate protection to agricultural products which must necessarily look to the outside world for consumers. So long as we are unable to control foreign production of wheat we can give no adequate protection to our wheat raisers. What we can do by legislation and what we should do is to legislate so as to produce lower ocean and rail freight rates upon these productions.

I believe that such a result will naturally follow from this legislation. I believe we will be benefited by it. It may be that we will not receive entirely equal benefits, but if our people gain 5 or 10 per cent under any character of legislation, it is not sufficient for me to vote against such proposed legislation because some other interest might possibly receive 1 or 2 per cent greater benefit. My duty is done when I have tried as much as possible to equalize these benefits according to the burdens.

Mr. President, if the effect of this bill, as I have suggested, independent of tariff rates, will in a number of years save to this country \$150,000,000 or \$200,000,000 per year, if that many dollars by reason of its operation remain at home which otherwise would go abroad, if that many dollars a year are put in circulation in this country and paid out to labor in this country, then I certainly can not see how it can do aught but benefit the American farmer.

Every extra dollar spent in New York or New England which gives the laborer or the person who receives it extra opportunity to better furnish his table, every extra laborer who secures work by reason of the money invested in shipyards, every extra seaman who obtains employment by reason of this bill must require so much additional farm products for his support. If it requires in the shipyards 100,000 extra laborers, that means an additional half million bushels of wheat to feed them. But this is not all.

The very life and prosperity of the wheat growers of the United States, more than any other class of people in the country, depend upon the continuance without cessation of abundant facilities to carry their products to foreign markets. Stop this flow for a

month or so, make it impossible, either by exorbitant rates or by reason of the vessels now conducting our commerce being called into other fields of labor, and you hold the whole surplus of wheat production—double the amount that could possibly be consumed by this country—within our own borders, producing a congestion of the most ruinous character.

Mr. President, I put but little faith in the use of these new vessels for anything other than transport service in case of war. If the evolution in war vessels and naval warfare in the past twenty-five or thirty years is any criterion, we may safely assume that the vessels of the type which could be used in our merchant marine with profit would not be practicable, or properly constructed, for use as cruisers in time of war. The instruments of naval warfare are now undergoing such rapid metamorphosis that no person can predict that ships of the present type will be adapted whatever to naval warfare twenty or thirty years hence.

But, Mr. President, therein does not lie the danger. War between the great powers of Europe is ever imminent, and, when turning to the table which I have referred to we find of the vessels above 2,000 gross tons and 12 knots speed Great Britain has 597, Germany 110, France 106, making a total of 813 against only 94 owned by Americans, we can get some conception of the disasters which might follow to our commerce, both agricultural and in manufactured goods, in case a conflict should occur between these three European countries, and they should call their merchant marine into transport service. Such an imminent danger no thoughtful American citizen can look upon without feeling a patriotic duty to take steps for the self-preservation of our people against such a contingency.

Mr. President, what more glaring example of false economy confronts us to-day than the expenditure of many millions of dollars every year for war ships to defend and protect our merchant marine in case of war, which, between this country and any foreign power of importance, is one of the most remote contingencies possible, while at the same time we subject 92 per cent of all our commerce to almost total annihilation in case of war between the great European powers, which is a hundredfold more imminent?

Mr. President, the people of the United States can not longer afford to walk in the shadow of this ever-threatening danger, and no class of people in the country are more interested in avoiding such peril than the wheat growers, one-half of whose product must go to a foreign market. The wheat grower, above all persons, can least afford to have our ocean transportation facilities checked or crippled, and I believe I best subserve his real interest, as well as the interest of all our people, when I cast my vote in favor of this bill. I shall do so, Mr. President, in the sincere hope, the earnest desire, and the honest belief that it is a step, and a right step, toward reinstating our lost prestige on the seas, and that our glorious marine record of 1826 shall be equaled if not eclipsed by our record of 1926.

PUBLIC BUILDING AT HASTINGS, NEBR.

Mr. DIETRICH. I ask unanimous consent that the Senate take immediate action upon the bill (S. 1798) for the erection of a public building at Hastings, Nebr.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, in line 1, page 2, before the word "dollars," to strike out "fifty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to cause to be erected in the city of Hastings, Nebr., on the site acquired, under the provisions of the act of Congress approved March 2, 1890, a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices in said city, the cost of said building, including said vaults, heating and ventilating apparatus, and approaches, not to exceed the sum of \$125,000, exclusive of the cost of the site. Said building shall be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1848) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce, and to encourage the deep-sea fisheries.

Mr. DEPEW. Mr. President, there has been so much said upon this subject, it has been illuminated by so many eloquent speeches on both sides, that I do not feel like occupying the time of the Senate except for a brief period. But, as a member of the Committee on Commerce and of the majority which reported the bill, I think that I ought express my dissent from some of the views

and some of the arguments which have been advanced by gentlemen upon the other side.

Mr. President, the junior Senator from Georgia [Mr. CLAY], the Senator from Missouri [Mr. VEST], and other Senators upon the Democratic side have made exceedingly interesting and eloquent contributions to the discussion of this bill. I find, however, on reading their speeches, that I must take issue with them upon the essential points which they make. For instance, the eloquent Senator from Georgia said:

I favor legislation which will give to the United States a foreign mail service equal, if not superior, to England, Germany, and France.

He fails to explain, because it can not be explained, by what process such a mail service is to be secured by the United States except with the assistance of the Government. Every year for a quarter of a century the demands of our foreign mails and their tonnage have been constantly increasing. With the enlargement of our commerce and its extension around the world there has naturally been an increase of mail. With the constantly increasing volume of American travel, tourist and commercial, there has been still further increase of mail, but there has been no addition, or practically none, to American mail facilities in the foreign service.

We are still dependent upon foreign nations for the efficiency and the regularity of our mail service. We are deriving no benefits in a commercial sense from its growth and expansion. Great Britain requires that all of her outward-bound ocean mails shall be carried under the British flag and by steamers under British control. Germany since 1885, when the North German Lloyd Asiatic contracts were made, has made practically the same requirement, and all outward-bound German mails are carried to North America, to Asia, to Africa, to Australia, in German steamers.

Germany is also now engaged, by the assistance of the Government, in establishing mail routes to South American points. The French mails to all parts of the world are carried upon French steamers and under the French flag. In order to accomplish this result, Great Britain expends \$2,000,000 per year in mail subsidies in excess of her receipts. France spends two millions, though her mail service is much less, and Germany and Japan each spends a million in excess of receipts in order to accomplish this result. These commercial nations, who have a heredity of hundreds of years of ocean transportation and foreign trade, and who look with unusual scrutiny at expenditures and receipts, would never conduct their mail business with foreign countries at so great an annual loss unless they were certain of a compensating gain. That compensating gain is found in the fact that every mail steamer is an ambassador of trade, is an agent for the expansion of commerce, is a means for the opening and the enlargement of markets for the surplus products of the countries whose flag the mail steamer carries.

We all join in the patriotic aspiration of the Senator from Georgia that our mail service shall be equal if not superior to that of England, Germany, and France, but so long as our mail service is carried on the vessels of those countries we are putting them each year still farther onward in the race for equality or supremacy, and making it that much more difficult for the United States to catch up. This sensitiveness on the part of our friends on the other side to a remunerative mail service and loss in the carrying of the mail has never been exhibited in our domestic service. The strength and value of the post-office service of the United States, inland and domestic, is that, regardless of profit or loss, it has been constantly extended with the settler to new regions and outlying settlements.

The mail service through the new Territories is always run at a great loss to the Government for the time, but with incalculable profit to the Government in the assistance which it has rendered to settlement, cultivation, and production. We have not passed the period in our internal mail service of unproductive routes. There is not a Senator in this Chamber who would cast a vote for the abandonment of one of these services which, by the report of the Post-Office Department upon our desks, is managed at a loss to the Government.

Under the contracts which Great Britain, Germany, and France have with their subsidized mail steamers—I use the word “subsidized” because the whole remuneration is practically that—when the loss is so great, they insure that regularity of the service without which, commercially, a mail route is of little value. While this is true of the mail service and its value to Great Britain, Germany, and France, the United States in its mail service to South America, to the Orient, to almost all parts of the world, is dependent upon the policy, or the whim, or the accident of the foreign ship which carries the mail.

We may have a valuable trade at some point or many points, and the foreign mail ship which reaches that place may be taken off by its Government because that government does not find it necessary or profitable to longer help a line to run there or because

that line or ship may be used as an auxiliary cruiser. Then the American service, the American communication, the American connection utterly fail, and this great Government is helpless so far as that section of the world is concerned. The German Government permits its lines to lay off their fast steamers during the winter season, and during that period the American mail service must follow the line of policy and the wishes and the business opportunities of the owners of the German line.

During the Boer war so many British mail ships were withdrawn by the Government into their service as auxiliary cruisers and transports that the mail service between the United States and Europe was seriously impaired, and we were utterly helpless. I admit that we save money by the present process. We would probably save two millions per year when all the mail routes were established, but we would save it at the expense of our commercial independence; would save it in order to contribute to the efficiency and the strength of foreign merchant marines and foreign naval service.

Our friends upon the other side are fond of quoting the Declaration of Independence, Washington's Farewell Address, and the patriotic literature of the Revolution. But it was Washington who said that “It is folly in one nation to look for disinterested favors from another; it must pay, with a portion of its independence, for whatever it may accept under that character.” I commend to our fellow-Senators that part of Washington's Farewell Address.

The Senator from Georgia [Mr. CLAY], always exceedingly careful to be accurate in his figures, will sometimes make mistakes in his comparisons.

Mr. BACON. The Senator from New York will permit me to interrupt him to say that my colleague is necessarily absent. He is uniformly here when not so detained.

Mr. DEPEW. I understand that.

For instance, when he says that England's foreign mails are more than three times what our foreign mails are, the statement conveys an impression which I am sure he did not intend. The foreign mails of Great Britain are three times greater than our foreign mails, but how distributed? Half of the British mails for Europe go only across the channel, from Dover to Calais, an hour's trip, or from Harwich to the Hook of Holland, or from New Haven to Dieppe, a four or six hours' trip. But the foreign mail service of Great Britain, mile for mile and pound for pound, is not greater than the foreign mail dispatched from the United States.

On the contrary, the United States mail is the larger. The difficulty with this statement of my distinguished friend is when he says that we would pay two millions annually for our foreign mails in excess of receipts, while Great Britain pays about \$4,500,000 for hers, meaning that, while Great Britain's mail tonnage is three times ours, it pays for it only a little over twice as much as we do. But when you compare mile for mile and pound for pound and find that by that method the United States mail is greater than the foreign mail dispatched from England and nearly equal to the foreign and colonial mails combined dispatched from that country, then you discover it is the real secret of the success of the English mail service, that as a matter of fact they pay over twice as much as does the United States, and by that method secure mail service, not only to their colonies, but all around the globe.

All the Senators who have spoken against this measure have laid stress upon the statement that there is no limit of time, and that therefore there is no sum which the subsidy may not attain. But, gentlemen, this question is always in the power of Congress. It is as much in the power of Congress as it was when Congress withdrew the subsidy from the Collins Line fifty years ago and crushed that line out of existence. Every year Congress will have the reports of the Post-Office Department, showing the amount of subsidies paid and the amount of mail service earnings. Every year the committee in charge of these questions in the two Houses will be investigating rigidly whether the point of maintenance has been so far passed in profit as to create monopoly or undue revenue; so that Congress itself will be to blame if at any time there is an abuse under this measure.

If the hopes of the friends of this bill are realized, ships will be built cheaper and cheaper in the shipyards of the United States, the efficiency of the service will grow with its magnitude, competition, working the same on the sea as it has on land, will reduce prices, and the beneficiary will be the Government as well as the individual.

One of the most eloquent and charming and attractive speakers upon this or any other question whom the Senate and the country are privileged to hear is the distinguished Senator from Missouri. He presented in its most formidable way the current impression that American shipyards have more orders than they can fill in the next two or three years. The Commissioner of Navigation reports that there have been 18 vessels, aggregating about 100,000 tons, which have been launched from American shipyards

during the last eight months; but the ways from which these ships were launched are now vacant, and the workmen who were employed upon these ships are now idle.

He reports that it would require, in addition to present orders, 75,000 tons of steamers in the course of construction to keep the yards to their limit and their men fully employed during the coming summer. It is a curious fact that during the last twelve months not a single steamer for foreign trade has been contracted for in an American shipyard, though most of such yards would be glad to receive the orders.

Mr. BACON. Will the Senator permit me to ask him as to the building of the ship *Korea*?

Mr. DEPEW. I take the report of the Commissioner of Navigation.

Mr. BACON. I will state to the Senator that the *Korea*, I understand, has just been completed for the service of the Pacific Mail Steamship Company. It is the largest steamship, probably, that will be on the Pacific Ocean, and was built for the trade between San Francisco and Hongkong.

Mr. DEPEW. I mean ships built for the foreign trade under the American flag.

Mr. BACON. That will be under the American flag, in the service of the Pacific Mail Steamship Company.

Mr. DEPEW. If that is true, then I stand corrected as to that one ship. Are there any more ships?

Mr. BACON. I understand that there is another one, but I can not recall it. I will state to the Senator that while I do not profess to have any very great familiarity with this subject, I happen to know about that ship from the fact that I am personally acquainted with the captain, who formerly commanded the *China*, and who has been transferred from the *China* to the *Korea*. In that way my attention was particularly called to the fact. Though I will not state it as a fact, it is my impression that there is still another, but of that I am not certain. I am, however, positively certain about the *Korea*, and she will be the largest ship afloat on the Pacific Ocean; that is, crossing the Pacific Ocean from America to Asia.

Mr. DEPEW. The other ship, I understand, is being built under the subsidy mail contract which the Spreckels have with the United States and with Australia and New Zealand.

Mr. BACON. I had the impression that there was another ship, but I was not prepared to give the information.

Mr. DEPEW. I now recall that the two ships are the *Korea* and the *Sierra*, and they are both included in the total tonnage which I have before mentioned as having been launched from American shipyards within the last year. These two steamers were contracted for about three years ago, when the annexation of Hawaii and the application of the coasting laws to that trade, under which these steamers could do an exclusive and therefore a profitable business, were inevitable. Well, upon the question as to what has been done in American shipyards I have here interesting statistics. Of course the contention of my friend, the Senator from Georgia, and his friends is that the American shipyards are doing all that they can; that they are working at a profit; that they at least need no assistance and no help, and that no measure of this kind will add or could add to their present efficiency or the amount of business they do or the number of ships that they turn out.

I think it will be admitted that American talent, American skill, American workmanship, American material are just as good as those of any other country in the world. I think it will be admitted that in many respects they are better. That being the case, if ships could be constructed as cheaply in our shipyards as they can in those of Great Britain, then there would be in the competition a fair share of their business coming to the shipyards of the United States.

Under present conditions there seems to be little prospect after this year for work in our shipyards except for the American Navy and coastwise vessels. That this is a large business we admit, but we ought not to rest satisfied with the building of American naval ships and the construction of vessels for our coasting trade. The demand for shipping under the American flag to go all over the world should be such as to enormously increase our present shipyard capacity, both in old yards and in new.

The writers in magazines and in reviews have been quoted extensively to prove that the American ships can be built as cheaply and run at as little cost as those of foreign nations. Against this I present the official report of the Commissioner of Navigation for 1901. He takes the best ship of the American, the British, and the German lines—the *St. Louis*, of the American; the *Oceanic*, of the British, and the *Kaiser Wilhelm der Grosse*, of the German Line. It shows that the total number of officers and men in every department on the *St. Louis* is 380; on the *Oceanic*, 427, and on the *Kaiser Wilhelm der Grosse*, 500; and yet the wages, month by month, of the *St. Louis* are \$11,306.09; of the *Oceanic*, \$9,891.32; of the *Kaiser Wilhelm der Grosse*, \$7,715.55.

The report of the Commissioner shows that these averages of from 20 to 30 per cent run equally distinct through the vessels of less tonnage and of slower speed. It distinctively establishes the fact of this difference of operation under the American, the British, and the German flag. Our friends the enemy admit that wages are higher in American shipyards than they are in the British, the German, or the Scandinavian, but they claim that this difference is made up in efficiency of service. The reports of the Commissioner of Navigation year by year and the statistics gathered by the distinguished Senator from Maine apply to ships of equal tonnage and exact counterparts built at shipyards in the United States and abroad.

In each case the difference in cost has been not less than 25 per cent in favor of the foreign shipyard. If this were not so, Yankee skill, ingenuity, push, and energy would be competing for and securing these contracts for foreign ships which are filling the yards of Great Britain and Germany while our yards could successfully do so much more work. We have overcome this difference in wages in locomotives and in steel rails and in other manufactures because of the volume of the product and the magnitude of the demand.

We can not overcome it in shipbuilding until we expand from a retail to a wholesale business. Where we build one large ship foreign shipyards build a hundred, while the reverse is true in the output of those manufactures with which we are successfully competing in the markets of the world. On this subject I quote an authority which I am sure my Democratic friends will not dispute.

The Democracy of the country, in looking for an issue, has also been trying to escape from the handicaps upon their race. One of these handicaps has been Tammany—Tammany government, Tammany mismanagement, and Tammany corruption.

Now, however, there is rejoicing all over the land in the Democratic households, camps, and conventions that Tammany has reformed; that a gentleman of education, of high honor, and of distinction has been placed at the head of the organization, and the Democracy of the country through its press and every organ of opinion welcomes him as an evangel of light and truth. Mr. Louis Nixon, the new leader, is a shipbuilder, as well as a highly educated engineer. I read an extract from a paper presented by Mr. Nixon at the annual meeting of the Society of Naval Architects and Marine Engineers within a few months. This society is composed of experts who could not be misled and to whom a statement could not be successfully made unchallenged unless it was absolutely true. The following is the abstract:

When we are in such a position that we can build several hundred merchant ships a year, we will then have the demand which will enable us to so arrange the building of merchant ships that we can build with reasonable economy, and I have no doubt in the world that by that time we shall be able not only to meet the price of the foreigner, but to come under it. But in order to bring about that condition it is absolutely necessary that there should be a demand for ships which we have not now, and until we can get that it is absurd to talk of building merchant ships as cheaply as they can be built abroad.

In one of the largest shipyards in this country there are five slips, each capable of building a *Campania*. On one was a tug, on another was a battle ship, on another was a ferryboat, on another a yacht, and on another a revenue cutter. It is absolutely impossible to practice economies under such circumstances and build the ships so that they would compare favorably in cost with ships built abroad.

The same rule in regard to this difference of from 20 to 30 per cent in the cost which has thus been demonstrated in the construction and in the operation is continued in the maintenance. Thus the three elements of cost, operation, and maintenance, upon which depends profit or loss in ocean navigation, are all against the ship built in America and sailing under the American flag. But if these things are true, "why," says the distinguished Senator from Georgia, "why," says the distinguished Senator from South Carolina, "why is it that Mr. Morgan has purchased the Leyland line of steamers? Why is it that so acute, so able, and so distinguished an investor should put his money and that of his friends in this business?"

I do not know whether they have or not, but, accepting the public reports that they have, the reason is very plain. It is because ocean navigation is profitable. It has been found so by all the maritime countries of the globe. It is profitable, however, only under conditions where competition is upon equal terms. In the close transactions of modern business, whether on land or on the ocean, competition settles the survival of the fittest. If the terms upon which the contest is carried on are equal, then skill, enterprise, and genius for business have their opportunity and win; but a sufficient handicap can make success impossible for the greatest genius in the world.

If these American capitalists have bought these lines, it is not to place them under the American flag; it is not to run them under American conditions; it is not to be handicapped by the difference between American wages and American food as prescribed by law and the wages and the food of the British and the German and the Scandinavian and the Belgian lines; but it is to

run them under the flags of those countries where conditions will place the ships and the business on that equality which enable business efficiency to do the business at a profit.

There are millions of American money now invested in shipping—invested because it is a money-making business. But the ships which this American capital owns and runs are run under alien flags because of the inhospitable conditions under our own, because we will not make it possible for these enterprising gentlemen to use their capital under the flag which they love quite as well as we do, and under which they would far prefer to sail their vessels.

There were constructed in the United States during the ten years up to 1901, exclusive of the coasting trade and naval vessels and inclusive only of steamers built exclusively for the foreign trade, ships aggregating 83,715 gross tons. This includes the ships from San Francisco to Australia by way of Hawaii, built since Hawaii was annexed; 5 steamers, built since Cuba was occupied, for that trade and 4 for the trade between New York, Boston, Philadelphia, and Jamaica; 2 for Venezuela; and 1, the Pacific mail steamer, between San Francisco and Japan and China.

The output of the British yards during that period of ten years I have not been able to obtain, but of steel steamers of over 1,000 tons burden the British yards launched last year 1,327,979 tons. I ask Senators to place these figures together. I ask Senators who are claiming that we can do as well in the construction of ships as any nation in the world to put these figures upon the walls of their study, carry them in their memorandum books, and paste them in their hats. As against British construction for one year of 1,300,000 tons is the beggarly showing of the United States for ten years of 83,000 tons.

Mr. BACON. If I do not interrupt the Senator, Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Georgia?

Mr. DEPEW. Certainly.

Mr. BACON. In the absence of some other Senators who are more immediately in charge of this matter, I should like to ask the Senator a question.

The Senator speaks of the construction of ships in the British shipyards, certainly recognizing the fact that Great Britain has no such trade as we have, which we denominate our coastwise trade. Therefore the statistics as to the tonnage manufactured in Great Britain is practically a statement of the entire manufacture of ships by the British shipyards. With us, much the larger part of our manufacture of ships is for the coastwise trade. In order to make a fair comparison the Senator ought not simply to give the work of the shipyards in America in building ships engaged in foreign trade, but he should also include in his statement the amount of manufacture of ships by the American shipyards to be engaged in the coastwise trade.

I will ask the Senator, in order that we may have the advantage of a perfectly correct statement when we go to paste it upon our walls, that he will state not simply the amount of tonnage represented in ships manufactured in the United States shipyards to be engaged in the foreign trade, but that he will add to it and give us the sum total of the tonnage, not only of ships manufactured for the foreign trade, but those also to be engaged in the coastwise trade.

Mr. DEPEW. I will let my friend the Senator gather these figures.

Mr. TELLER. Mr. President—

Mr. DEPEW. I yield to the Senator from Colorado.

Mr. TELLER. Will the Senator allow me to call his attention to a statement made by the Commissioner of Navigation on page 28 of his report, where he says:

Eight, possibly ten, trans-Atlantic steamships will be built in the United States during the next two years, which by 1903 will increase the American representation absolutely.

Then he goes on to say that it will not be increased so much in proportion to the other countries, perhaps, as it ought to be.

Mr. DEPEW. I have the figures here only for 1898. I find that the total seagoing tonnage of the world is 11,163,000 tons, probably this year about 12,000,000 tons. Of this, 7,310,000 is British and 3,853,000 is the rest of the world. There were built in British shipyards about 1,400,000 tons, and in all other shipyards of the world 672,000 tons.

Now, the other shipyards of the world included those of Germany, which has been wonderfully stimulated; of Scandinavia, of France, and of Belgium. Without having accurate figures, the Senator will still see that the figures which he has in his hat will not make him proud of his country.

Mr. BACON. They are very vastly different, though, from those suggested by the Senator in his previous statement.

Mr. DEPEW. Within the last ten years the United States has become a creditor nation. During the period of development and construction we drew upon the capital of the world to build our

railroads and telegraphs, to dig our canals, to open our mines, and to develop our resources; but the development of the past forty years has been such that our financial position is reversed. In the last decade we have discovered our strength and resources. We have paid off our indebtedness to Europe and repurchased, as far as possible, our securities which were held upon the other side.

American capital, the accumulation from the products of farms and factories and mines, of industry and of labor, has been seeking investment in every direction. Our national wealth was estimated in 1890 at \$65,000,000,000 and in 1900 at about ninety-five billions. In round numbers there has been an increase in the national wealth of \$30,000,000,000 in the last decade. While much of this is the increase in values of properties which existed ten years ago, a portion of it is profit in cash, which must go somewhere for profitable employment. It has diligently pursued every channel, first through the cautious investor, seeking security at the lowest rate of interest, and next through the venture-some and enterprising, who are willing to take risks for larger gains.

There has been invested in the construction of railways during this period \$1,800,000,000, seeking an average return of 4 per cent interest. There has been invested in the enlargement of old and the building of new manufacturing enterprises \$3,300,000,000. There have been loaned to Europe at 3½ and 4 per cent over \$50,000,000. Other millions have gone into mines in Mexico, in the different countries of South America, and in exploitations in Asia and Africa.

Never in the history of the world, in any nation, has there been such vast wealth controlled by such energetic, able, and informed capitalists, ready to take up, in this country or abroad, on the land or on the sea, any enterprises which would promise returns. If the contentions of the opponents of this bill are correct, why has it gone into speculative undertakings, into these operations involving risk and loss, into these investments giving such small returns of interest, if American ships could be built and navigated as cheaply as the ships of any other country of the world?

Why, Mr. President, if that proposition was true we would not be here to-day discussing measures for the promotion of the American mercantile marine, nor lamenting the disappearance of American merchant vessels from the ocean and seas of the earth, nor wondering why the United States alone of nations has no place in the maritime calculations of shippers, but we would be rejoicing in the fact that the American flag, now unknown and unseen on almost all of the routes of commerce, was again a familiar sight to the eyes of the American traveler in every port, and the place of the United States among maritime nations was as high as it is among those same nations in competitive industries and in finance.

The eloquent Senator from Missouri characterizes this measure as "class legislation." But never, in any country, has any measure which added to the national defense been regarded as class legislation. The \$26,000,000 a year in bounties, or subsidies, or mail contracts, or whatever form it may take, which are paid by European nations, has the double motive of the promotion of commerce and the command of the sea. These ships become auxiliary cruisers. England has fifty such vessels, swift, made of steel, up to every modern requirement and subject at all times to the requisition of the British Government.

Without this auxiliary fleet she would have been practically helpless in the transportation of the 300,000 troops she sent to South Africa. One of the most enlightened and progressive rulers in the Old World is the present Emperor of Germany. All of his powers are bent to the promotion of German interests, the extension of German commerce, the employment of German labor and markets for German productions. Within the last ten years he has brought Germany to practically a unanimous support of the subventions, or mail contracts, or direct subsidies, or rebates upon German railways, which amounts to the same thing, by which the German merchant marine has been rapidly overtaking that of Great Britain. He has built up German shipyards by making it a condition that those ships should be built by German labor and in German yards; he has emancipated the German shipper from dependence upon Great Britain, to which, until within recent years, he was subject.

All these great ships are auxiliary cruisers and part of the German navy. The performance of the *Kaiser Wilhelm der Grosse* and of the *Deutschland* across the ocean, surpassing all records, at once receives by proclamation the plaudit of the Emperor and by resolution the plaudit and encouragement of the German Parliament. Not only is direct pay given to encourage this mercantile marine, but indirectly the Government-owned railways of Germany are made to contribute. Both exports and imports passing over the German railways have part of the freight remitted to the steamship in order to increase the earnings of the vessels. In addition to that, Germany has recently inaugurated a system of preferential rates to the German manufacturer upon the German rail-

way for goods exported to the competing markets of the world. This operates in the nature of a bounty to enable the German manufacturer to outbid his competitors or to sustain himself against their activity, energy, and cheaper production.

I read from the Board of Trade Journal of February 20, 1902, a report of the British consul at Hamburg on this subject. He says:

His Majesty's consul-general at Hamburg has forwarded to the foreign office a memorandum on the subject of preferential rates for German iron and steel on German railways, of which the following is a copy:

"It has recently been notified by the German newspapers that from and after January 1, 1902, the rates charged on German railways according to the preferential special 'seaport tariff,' which hitherto were applicable only to German steel and iron destined for overseas exportation to Asiatic ports east of Aden, to Australia, and to islands of the Pacific Ocean, have now been extended and made applicable to German steel and iron destined for overseas exportation to all non-European countries, without exception."

That includes the United States—

"It is evident that the extension of the advantages accorded by the rates of this preferential tariff to the German steel and iron trade and industries has taken place in view of the comparatively unfavorable position in which those industries (and many others) are placed at present; but it is also probable that once introduced for steel and iron intended for overseas exportation, those rates will become permanent, especially in order to enable the German steel and iron industry to compete with that of the United States of America. The rates in question have, for the above first-described destinations, been in force since 1890, and amount to 2.2 pfennigs per metric ton per kilometer, plus 12 pfennigs for working expenses (in place of 3.5 pfennigs plus 12 charged for iron and steel according to the ordinary tariff rates).

"Up to the present these preferential rates have been chiefly advantageous to the North German Lloyd steamers which run from Germany to the far East and Australia, as they have attracted goods to those destinations. There can be little doubt that the further extension of the advantages offered by these reduced rates will give an impulse toward the overseas export trade of German steel and iron to other countries besides those just named—for instance, to South America."

It gives about 25 per cent of the freight rates to the German manufacturer as a rebate when he exports goods from that which he pays when he sends them locally to the seaboard for local purposes, and that 25 per cent goes into the pockets of the German manufacturer in order to enable him to compete in the American market in spite of our tariff.

Mr. President, I was curiously impressed in finding on investigation that 95 per cent of the American mail is carried mainly in English, German, and French vessels; that all over the world, except for immediate communication between the United States and Europe for certain points, and in this one line that runs via Hawaii to Australia and one Pacific mail steamer running to the Orient, the vast volume of American mails is carried under foreign flags.

Here is the situation which has a side to it that is anything but flattering to American pride. Upon the heads of our postage stamps we have the faces of Franklin, of Washington, of Jackson, of Lincoln, of Grant, of Garfield, of Sherman, of Webster, of Clay, of Jefferson, of Perry, of Madison, and of Chief Justice Marshall.

Mr. President, there is a galaxy of patriots, of worthies, of men distinguished in arms, in statesmanship and diplomacy, such as has never been seen before. They were all patriotic Americans; they were all builders of our country; but they can not get their images anywhere in the world except under a British or a German or a French flag. What would be the feelings of George Washington, who had such sentiments hostile to foreign alliances and dependence upon foreign countries, if he knew that his face and figure when carried upon an American letter had to go under a British or a French or a German flag all over the world?

What would be the feeling of General Jackson, rising, as he might, from behind the cotton bales at New Orleans, if he discovered that he was dependent upon the vessels of foreign nations in order to get his features upon an American postal card or an American letter to any part of the world? There would be heard the familiar imprecation from the old hero: "By the Eternal, you degenerate representatives of my principles and party have turned my victory over the British for American independence on the seas into a pitiful surrender to England of the carriage of the mails of our country and the commerce of our people around the earth." This may not be much of an argument, but in any event some tribute ought to be paid to the feelings of these deceased statesmen that their country, now rich and powerful beyond any dreams in which they ever indulged, should not subject their images to such humiliation.

"Class legislation" has been the cry against protection since the organization of our Government. The cleavage upon this question is upon lines as old as the first acts to promote American shipping and to give an impulse to American manufactures in the first term of General Washington. The statesmen to whose genius we owe our institutions saw as clearly a hundred years ago, as Captain Mahan did when he wrote his famous book, that the sea power controls the world. They saw that if the United States was to be capable of sustaining in comfort a population equal to that which its territory invited it must be independent of other countries both on the land and on the sea. They advised the protective measures first for the ocean and then for the land.

By tonnage dues and preferential rates to goods shipped in

American vessels they built up an American merchant marine which at one time carried 72 per cent of the foreign commerce of the United States. But the cry of "class legislation," ineffective against protection at home, because protection at home was brought to the door of every citizen, was fatal to our position upon the sea. Upon one pretext and another we made treaties which prevented our continuing these privileges to our citizens. The high tide of opposition to the efforts to equalize our shipping with the shipping of other nations on the ground of "class legislation" was reached when the mail subsidy was withdrawn from the Collins Line, and we retired as a nation from the sea.

The energy and activity of our people, their skill as constructors and sailors, enabled us to hold the sea with our wooden clipper ships for a while, but when the iron ships were substituted the superiority of Great Britain in the manufacture of iron, that industry being in its infancy then with us, gave the monopoly of this construction to England. Now, while we talk of being a world power, with our limitless resources, with our genius for trade and commerce, we carry only 8½ per cent of our own products in American ships under the flag of the United States.

It is the wonder of political economists that Great Britain, with a trade balance against her of about \$700,000,000 a year, should remain so rich. The problem which the English statesman has to face is how to feed 42,000,000 of people in the British Isles and furnish them with remunerative industries when the British Isles have to import food for 30,000,000. It is this which makes this enormous balance of trade of \$700,000,000 a year against her. If she had to take it out of her capital she would soon be exhausted and impoverished.

The steam tonnage of the world is about 11,000,000 tons, of which Great Britain owns 7,300,000, leaving 3,700,000 for all the rest of the world. The output of new vessels from the British yards is about 1,400,000 tons, against 672,000 tons for all the rest of the world. This vast preponderance of British shipping earns nearly the whole of the balance of trade against her, its earnings being about \$700,000,000 a year. Of course, the enormous investment of British capital and the tremendous loans of British money to other nations, which do not appear in the balance of trade, make Great Britain still the creditor nation of the Old World.

But while protection has been withdrawn, in deference to the cry of "class legislation," from the ocean, happily for the United States, fortunately for our people, the policy has been maintained in our internal affairs. I will not go over the old story of the financial cataclysms and industrial paralysis which have followed the interference with this policy at different times during the last century. For forty years this policy of protection to American industries has been practically supreme. In that forty years we have made the phenomenal progress which astonishes no one more than ourselves. There is no lesson so clear, no fact so irrefutable as those based upon the operations of the protective policy in our land. We successfully compete in the open and the opened markets of the Orient; we successfully compete in their own markets with the highly organized industrial nations of the Old World.

The sale of the surplus of our industries abroad prevents the congestion of our labor and keeps it at a scale far higher than that of any other country and constantly advancing. But for the protective policy we would have congestion, paralysis, and suffering upon the land, though we might not reach the condition of absolute poverty which is ours upon the ocean. By the protective policy we are receiving an average of \$500,000,000 a year of trade balance in our favor, and then we pay of that about \$200,000,000 to foreign shipping to carry American products. If we had upon the ocean an adequate merchant marine, it is difficult to picture the benefit to American labor which would accrue from the employment of this vast sum in our own industries and among our own people.

The great difficulty with our friends upon the other side is the Democratic conscience. It is a conscience which believes every act or policy unconstitutional for which explicit authority can not be found plainly written in the Constitution. For one hundred years it has suffered and been sorely tried. It bobs up serenely in opposition whenever the nation endeavors to do anything which will add to its wealth, greatness, and power, and then becomes elastic when the people will no longer respond to its rigid constructions. It was created by Thomas Jefferson, but was the plague of his life. No proposition so clear was ever presented to a statesman as the acquisition of Louisiana and the control of the Mississippi; but it was against the Democratic conscience which he had just brought into life and made exceedingly virile. Nevertheless, he took in Louisiana, which now contains fifteen of our most prosperous States, and opened the Mississippi to the nation as an American highway, and stepped on that conscience.

When the Democratic President Polk and the Democratic President Pierce and the Democratic President Monroe took territory

from Spain and from Mexico and governed them by means which were not recognized in the strict letter of the Constitution the Democratic conscience again received frightful wrenches. But we took the territory and we governed it. The Democratic conscience is opposed to internal improvements by the Government, but Democratic Senators and Members of Congress and Presidents all support them.

The Democratic conscience denounces the river and harbor bill and its appropriations, by which the Government steps within the limits of States and beyond the line of national control of navigable and unnavigable waters, but it votes every time for the old flag and an appropriation. We had before us a few days ago the subject of irrigation. It was clearly "class legislation" upon Democratic arguments and Democratic contention. It was not for the national defense, but for the promotion of the interests of a certain section of the United States and of peoples living exclusively within those jurisdictions.

Mr. DIETRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Nebraska?

Mr. DEPEW. Certainly.

Mr. DIETRICH. The money received from the sale of public lands is to be used for the reclamation of arid lands belonging to the Government and to be sold to settlers.

Mr. DEPEW. Nevertheless it was contrary to Democratic principles. I voted in favor of it, and I am in favor of it; but all I am speaking of is the difficulty that the Democrats had in voting for it. That difficulty was explained in this way: That it was a beneficent measure? No; they did not say that. That it would develop public lands and make them fit for settlement? No; they did not say that. What they did say was that in the distribution of the unconstitutional river and harbor appropriations these several States and Territories where the arid lands are received no direct benefit, and therefore they should have unconstitutional money in order to even them up. It is not the expense to be incurred under the provisions of this bill, but it is the Democratic conscience—so elastic for one hundred years, so yielding whenever party necessity requires it—which is fighting this bill.

We will spend during the next year probably \$145,000,000 for pensions, \$130,000,000 for the Army, \$100,000,000 for the Navy, and \$133,000,000 on the Post-Office, and yet for this measure, which, if successful, will enormously help, enormously strengthen the American Navy, our highest possible expenditure for the coming year is \$800,000. Our highest possible expenditure under the postal clause, over and above receipts, is \$2,000,000, and that only when the postal routes all over the world have been opened and in successful operation.

Under the subsidy provision for vessels not receiving mail pay it would be impossible for us to build over 200,000 tons every two years at an expenditure of \$30,000,000 and the employment of a vast number of American workmen. So that the highest expenditure possible, with our mail routes built and our merchant service full—and this will take from five to ten years—would be \$7,500,000 a year. The river and harbor bill this year, which will carry nearly \$60,000,000, is purely for domestic trade and domestic commerce. There is no doubt of its beneficence.

To establish an ocean mail service which would enable us to earn \$4,700,000, which would be \$2,000,000 in excess of receipts from the mails, will require 24 new, large, fast ocean mail steamers, aggregating 240,000 gross tons. It would take more than three years and largely increased shipbuilding facilities to construct and place upon the ocean these vessels. The total cost of this number of mail steamers constructed within that period would be nearer forty than thirty-five millions of dollars. It would mean the steady employment of 18,000 men and an expenditure in wages of at least \$18,000,000.

In considering the vessels which are to be paid a bounty, as distinct from mail service, and for that bounty to carry the mails free, we find this: That during the calendar year 1900 these subsidy ships, excluding mail steamers, would have earned in the voyages which they made during that year \$1,000,000, from which deduct the \$200,000 for mails which they carry free, and that would leave the subsidy for the present year \$800,000. If this \$800,000 should increase in the next few years to the extent of \$800,000 more in subsidies, it would be necessary to add 100,000 tons of ocean steamers and 40,000 tons of sail vessels to our mercantile fleet. If this output were doubled and the subsidy doubled, the United States then as a shipbuilding nation would be ahead of Germany.

One of the most significant facts, which illustrates with startling emphasis our poverty upon the ocean, are the statistics gathered by the Senator from California [Mr. PERKINS] upon the relations of the revenues derived through the custom-house service of the United States, and the amounts paid to foreign ships for freight upon American exports. For thirty-one years prior to 1901, the total revenue from customs service received by the United States

was \$5,999,449,241. During the same period of thirty years there were paid by American farmers, manufacturers and other shippers to foreign ships for carrying American products abroad \$5,867,671,350. So that during these three decades the people of the United States have paid to foreign vessels owned by foreign capitalists and sailing under foreign flags for the carrying of American products nearly the whole of the vast sums collected through our protective tariff at the various ports of the country and paid into the Treasury of the United States.

It has been said in the debate that the American Line would receive the whole of this subsidy. I have looked into the matter, and I find that the American Line has only four ships which by any possibility could under this bill receive a penny of this subsidy. Those four ships are now under contract which will not expire for three years, so that during that period they will receive no benefits from this bill. If the American Line does receive benefits from this bill, it must enter into competition with all the capitalists of the country who desire to go into the shipbuilding business and who believe that under this subsidy ships sailing under the American flag will be a profitable investment.

We read in the reports of the consuls in Asia and in Africa that they have not seen an American flag among the crowded shipping of the places to which they are accredited during their terms of service. Our late American minister to Siam says that in going up and down for four years the whole coast of the Orient he never once saw an American flag on a merchant vessel among all the vast fleet which carries the interchanges of that coast. If the expectations of this bill are realized, then for this comparatively small expenditure of \$7,100,000 a year this reproach will be removed from American enterprise and American progress.

Then, again, the American flag, floating over American steam and sailing vessels, will be seen in every port of the world. Then, with the American flag and American skipper, will come the American commercial agent and the American financial exchanges, and we can have the methods for that competition in which we believe we should be more successful than any other nation, but which is as yet only a dream and a hope.

The financial expert who rises from the appropriations of a billion dollars a year to be frightened by the expenditures possible under this bill in the coming years must remember that the bill is always subject to repeal and modification and that if abuses occur it will be the fault of American Presidents, American Secretaries of the Treasury, and of commerce, the American Congress, the American people, and the American press.

I am in favor of protection on land and on sea; I am in favor of the improvement of our rivers and harbors; I am in favor of an irrigation system which will make fruitful the waste places of our land; I am in favor of the isthmian canal, built and owned by the United States Government, and so, to be entirely consistent, I must be in favor of and the country should be in favor of any measure or any system which will give to us once more the command of the ocean; which will make more valuable the lands redeemed by irrigation and the rivers and harbors improved by legislation; which will make useful to us, as well as to the rest of the world, that great canal which is to connect our eastern with our western coast; which is to give us, if we have a merchant marine, the Pacific as almost an American lake, a leading place in the commerce of the Orient, and the gaining of what we ought to have, and are entitled to, the trade of our sister republics of South America. [Applause in the galleries.]

The PRESIDENT pro tempore. No demonstrations of applause or disapprobation are permitted under the rules of the Senate. A repetition will lead to a direction to the Sergeant-at-Arms to clear the galleries.

DESTRUCTION OF USELESS PAPERS.

Mr. COCKRELL. I ask unanimous consent at this time to present the report of the Joint Select Committee on the Destruction of Useless Papers in the Executive Departments. The committee have discharged their duty, and submit a report, and I ask that it may be read. It is very short.

The PRESIDENT pro tempore. The Senator from Missouri, from the Joint Select Committee on the Destruction of Useless Papers, submits a report which will be read to the Senate.

The Secretary read as follows:

The Joint Select Committee of the Senate and House of Representatives, appointed on the part of the Senate and on the part of the House of Representatives, to which were referred the reports of the heads of departments, bureaus, etc., in respect to the accumulation therein of old and useless files of papers, which are not needed or useful in the transaction of the current business therein, respectively, and have no permanent value or historical interest, with accompanying statements of the condition and character of such papers, respectfully report to the Senate and House of Representatives, pursuant to an act entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," approved February 16, 1898, as follows:

Your joint committee have met and carefully and fully examined the said reports so referred to your committee and the statements of the condition and character of such files and papers therein described, and we find and report that the files and papers described in the report of the Secretary of the

Treasury in Senate Document No. 97, Fifty-seventh Congress, first session, dated January 8, 1902; and in H. R. Document No. 397, Fifty-sixth Congress, second session, reprinted therein; and in the report of the Secretary of War in H. R. Document No. 243, Fifty-sixth Congress, second session, dated December 26, 1901; and in the H. R. Document No. 325, Fifty-sixth Congress, second session, being the report of the Postmaster-General, dated January 12, 1901; and in the report of the Secretary of the Interior in H. R. Document No. 273, Fifty-sixth Congress, second session, dated December 31, 1900 (with the exception of 60 copies of volume 1, 31 copies of volume 9, and 87 copies of volume 10 of the life and works of John Adams, which we recommend to be transferred and delivered to the Superintendent of Documents, Hon. L. C. Ferrell); and in Senate Document No. 88, Fifty-seventh Congress, first session, being the letter of the president of the United States Civil-Service Commission, dated December 2, 1901, are not needed in the transaction of the current business of such departments and bureaus, and have no permanent value or historical interest, and should be sold as waste paper or otherwise disposed of, upon the best obtainable terms as provided by law.

Respectfully submitted to the Senate and House of Representatives.

F. M. COCKRELL,

BOIES PENROSE,

Members on the part of the Senate.

E. S. MINOR,

C. F. CUSHMAN,

Members on the part of the House.

The PRESIDENT pro tempore. What disposition does the Senator from Missouri desire to have made of the report?

Mr. COCKRELL. That ends the matter. It authorizes the departments to dispose of the papers. Let the report be printed.

The PRESIDENT pro tempore. It will be printed and laid on the table. Should it not be agreed to by the Senate?

Mr. COCKRELL. No.

The PRESIDENT pro tempore. There is no need of that?

Mr. COCKRELL. It is just simply a statement for information, so that it may be known. The object is to prevent the destruction of papers that might be valuable without the consent of Congress.

LITTLE KANAWHA RIVER NAVIGATION COMPANY.

Mr. CULLOM. If there is no disposition to proceed further with the discussion of the shipping bill at this time, I move that the Senate proceed to the consideration of executive business.

Mr. SCOTT. Will the Senator from Illinois yield for a moment, till I can obtain unanimous consent to call up a very short bill?

Mr. CULLOM. I yield.

Mr. SCOTT. It is one that was passed over on account of the absence of my colleague from the Chamber. I ask unanimous consent for the present consideration of the bill (S. 297) for an examination of the property of the Little Kanawha River Navigation Company.

The PRESIDENT pro tempore. The Senator from West Virginia asks unanimous consent for the present consideration of a bill, which will be read to the Senate in full for its information.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to appoint a board of three engineers, whose duty it shall be to examine, in all their relations to commerce, the property and appurtenances of the Little Kanawha River Navigation Company, a corporation of West Virginia, with a view to their acquirement by the United States; to consider their value, and all other matters connected with their usefulness to navigation. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and of the Chief of Engineers of the United States Army thereon. And the sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay the expenses of said examination.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLISON. I do not intend to object to the consideration of the bill. Has it been considered by the Committee on Commerce?

Mr. SCOTT. Yes, sir.

Mr. ALLISON. If it has been reported from that committee I shall not object.

Mr. SCOTT. It has been reported by my colleague. While my colleague has been temporarily absent from the Chamber it has come up and been passed over.

Mr. ALLISON. Our experience in buying water powers and canals has not been very successful, but if the Committee on Commerce think this is a wise measure I shall not object to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH B. SARGENT.

Mr. PLATT of Connecticut rose.

Mr. CULLOM. I withdraw my motion until the Senator from Connecticut [Mr. PLATT] makes known what he desires.

Mr. PLATT of Connecticut. I am obliged to be away from the Senate Chamber a good deal on business in connection with the Committee on Indian Affairs. I should like to have taken up at this time by unanimous consent the bill (S. 2393) for the relief of James B. Sargent. We practically reached it on the Calendar.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, in line 4, to

strike out the name "James" and insert "Joseph;" and in line 7 to strike out the name "James" and insert "Joseph;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Joseph B. Sargent, out of any money in the Treasury not otherwise appropriated, the sum of \$583.67, the same being the value of property belonging to the said Joseph B. Sargent and illegally seized, and for money improperly and unlawfully collected from him as alleged duties and penalties by United States officials at the port of El Paso, Tex.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Joseph B. Sargent."

PUBLIC BUILDING AT SHERMAN, TEX.

Mr. CULBERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Texas?

Mr. CULLOM. I yield to the senior Senator from Texas.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (S. 3834) to provide for the purchase of a site and the erection of a public building thereon at Sherman, in the State of Texas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 1, line 12, before the word "thousand," to strike out "two hundred" and insert "one hundred and fifty;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States court-house, post-office, and other Government offices, in the city of Sherman and State of Texas, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAWAIIAN SILVER CURRENCY.

Mr. FORAKER rose.

Mr. CULLOM. I withdraw the motion for an executive session immediately, as one of the purposes for which I desired it is not capable of accomplishment to-day.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 2210) relating to Hawaiian silver coinage and silver certificates.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be received in the mints as United States coins.

SEC. 2. That when such coins have been received by either Government in sums not less than \$500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be received as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the government depositing the same, the sum so deposited, in standard silver coins of the United States. The expenses of transmitting said coins to and from the Hawaiian Islands shall be borne equally by the United States and the government of Hawaii.

SEC. 3. That any collector of customs or of internal revenue of the United States in the Hawaiian Islands shall, if he is so directed by the Secretary of the Treasury, exchange standard silver coins of the United States that are in his custody as such collector with the government of Hawaii, or with any person desiring to make such exchange, for coins of the government of Hawaii, at their face value when the same are not abraded below the lawful standard of circulation, and the Treasurer of the United States, under the direction of the Secretary of the Treasury, is authorized to deposit such silver coins of the United States as shall be necessary with the collector of customs or of internal revenue at Honolulu or at any Government depository for the purpose of making such exchange under such regulations as he may prescribe.

SEC. 4. That any silver coins struck by the government of Hawaii that are mutilated or abraded below such standard may be presented for recoinage at any mint in the United States by the person owning the same, or his or her agents, in sums of not less than \$50, and such owner shall be paid for such coins by the superintendent of the mint the bullion value per troy ounce of the fine silver they contain in standard silver coin of the United States, and such bullion shall be coined into subsidiary coinage of the United States.

SEC. 5. That silver coins heretofore struck by the government of Hawaii shall continue to be legal tender for debts in the territory of Hawaii, in accordance with the laws of the republic of Hawaii, until the 1st day of January, 1904, and not afterwards.

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

SEC. 7. That any silver certificates heretofore issued by the government of the Hawaiian Islands, intended to be circulated as money, shall be redeemed by the Territorial government of Hawaii on or before the 1st day of January, 1904, and after said date it shall be unlawful to circulate the same as money.

SEC. 8. That nothing in this act contained shall bind the United States to redeem any silver certificates issued by the government of Hawaii, or any silver coin issued by such government, except in the manner and upon the conditions stated in this act for the recoinage of Hawaiian silver.

Mr. PLATT of Connecticut. Let the Secretary read section 2 again.

The PRESIDENT pro tempore. It will again be read.

The Secretary again read section 2.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pacific Islands and Porto Rico with an amendment, on page 3, line 21, section 7, to strike out the word "four" and insert "five;" so as to make the section read:

SEC. 7. That any silver certificates heretofore issued by the government of the Hawaiian Islands intended to be circulated as money shall be redeemed by the Territorial government of Hawaii on or before the 1st day of January, 1905, and after said date it shall be unlawful to circulate the same as money.

Mr. FORAKER. That extends by one year the time during which the silver certificates that may be in circulation can pass as lawful money.

The amendment was agreed to.

Mr. TELLER. I should like to ask the Senator what is the purpose anyway of making it a crime to circulate those silver certificates if people choose to do it? The people will not take them. I do not see why that should be done?

Mr. FORAKER. The only purpose of this provision is to make more certain the redemption of these silver certificates by the Hawaiian government. There are very few of them in circulation. Most of those issued have already been taken up. There are some few still outstanding, and it is thought that when it is no longer lawful to circulate them they will be brought in and redeemed and a better money will be substituted in their place.

I should perhaps say to the Senate that the aggregate of silver coins in circulation is only about \$900,000. It was coined by the government of Hawaii as Hawaiian coins in dollars and half dollars and quarters and dimes, and we simply provide by this bill for substituting our coins in lieu of those coins, the provision being, however, that those coins when taken up shall be recoined as subsidiary coins; that is, shall not be coined into dollars to take the place of the dollars taken up, but coined as half dollars and quarters and dimes, the people needing the subsidiary coins there and not needing the other.

Mr. TELLER. I should like to know what are the denominations of the coins they have over in Hawaii?

Mr. FORAKER. The denominations are precisely the same as ours.

Mr. TELLER. Have they dollars and halves and quarters?

Mr. FORAKER. There are some dollars and some half dollars and some quarters and some dimes.

Mr. PLATT of Connecticut. At what rate do these coins pass in Hawaii?

Mr. FORAKER. They pass there precisely the same as ours. It is a mere substitution of our coins for their coins, the only difference being that their coins when taken up will be altogether recoined as subsidiary coins.

Mr. TELLER. How will they be paid for?

Mr. FORAKER. We pay for them by our own money as they are taken up. The first provision is that each Government to which payment shall be made of these coins shall have authority to turn them in to the mint as they are received and collected.

Mr. TELLER. In line 2, page 2, section 2, the bill provides:

And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the Government depositing the same, the sum so deposited, in standard silver coins of the United States.

Does the Senator mean by that in standard dollars, or in silver coins?

Mr. FORAKER. In standard silver coins of the United States.

Mr. TELLER. That might possibly be construed to mean dollars instead of standard silver coins. I think if the Senator would say "silver coins" —

Mr. FORAKER. I think the superintendent of the mint may, under this provision, pay in any kind of coin he may see fit to pay in. He may pay in dollars if he sees fit; when it comes to recoinage what he has received he shall recoin only in subsidiary coins.

Mr. TELLER. I suppose the purpose is to replace that money with American coins.

Mr. FORAKER. Precisely.

Mr. TELLER. We ought to send over to those people some dollars and some 50-cent pieces. I think the word "standard" ought to go out, and let it read:

So deposited, in silver coins of the United States.

Mr. COCKRELL. Does not the word "standard" there simply refer to the purity of the metal?

Mr. TELLER. If that is so, it is not necessary to put it in. We have no coin that is not standard. It might be construed to be "dollars."

Mr. FORAKER. I think that is true; it is a superfluous word; but I did not object to it in the bill. However, I did not myself draft the bill.

Mr. COCKRELL. The word "standard" is applied to the silver in the silver coin.

Mr. TELLER. I do not care to make any suggestion. If the Treasury Department drafted the bill, I suppose they are aware that the people of the islands must have quarters and half dollars, and they will supply them.

Mr. COCKRELL. Oh, yes.

Mr. CULLOM. I should think the money ought to be paid back in any denominations that the people want.

Mr. TELLER. That is perfectly proper.

Mr. CULLOM. The money over there is stamped as Hawaiian money; and we do not want to have two or three coins circulating as money of the United States. So the arrangement proposed is to have it all recoined in United States money and paid back.

Mr. TELLER. I am not complaining of that. That is a proper thing to do, of course. They can not have any independent money over there any more than the Territory of New Mexico can have it. It is very proper that we should get it into the mint and give it back to them in such coin as the community wants; that is all.

Mr. CULLOM. I have no doubt that that will be done.

Mr. ALLISON. I should like to ask the Senator from Ohio whether these silver dollars or fractional coins are coins that have been created in Hawaii?

Mr. FORAKER. Yes.

Mr. ALLISON. And they have the same standard of fineness that our coins have—nine-tenths fine?

Mr. FORAKER. Precisely the same.

Mr. ALLISON. How many of them are there?

Mr. FORAKER. About \$900,000 in the aggregate.

Mr. ALLISON. All told?

Mr. FORAKER. All silver.

Mr. ALLISON. Does that include subsidiary silver as well as dollars?

Mr. FORAKER. It includes dollars, half dollars, quarters, and dimes, and the aggregate is about \$900,000.

Mr. CULLOM. It was supposed to be a million when we were there.

Mr. ALLISON. I quite agree that these coins ought to be melted and United States coins substituted. It occurs to me that under section 2 there is perhaps an amount, I do not know how much, that ought to accrue as seigniorage to the United States:

That when such coins have been received by either government in sums not less than \$500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be recoined as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the government depositing the same, the sum so deposited, in standard silver coins of the United States.

There are no standard silver coins that I know of under our law except silver dollars.

Mr. TELLER. That is what I said.

Mr. ALLISON. We recognize two kinds of silver coin in our country, one being what we call standard silver dollars and the other being subsidiary coin.

Mr. TELLER. It is of lighter weight.

Mr. PLATT of Connecticut. Those subsidiary coins are coined according to a statute, and I should suppose it might be said that they were coined according to another standard—that the silver dollar is coined according to one standard and the subsidiary coins are coined according to another standard.

Mr. ALLISON. The subsidiary coins are worth 10 per cent less than our standard coins. Now, these identical coins are to be coined into subsidiary coinage. I do not know precisely why it is that they should be coined into subsidiary coinage and then paid for at the par value of these coins to the government of Hawaii.

Mr. FORAKER. If the Senator will allow me to answer, they are to be coined into subsidiary coins, as I understand it, because in Hawaii they do not want any more silver dollars. They seem to have a sufficient proportion for circulation in the aggregate.

Mr. ALLISON. Do they have our silver dollar?

Mr. FORAKER. A great many silver dollars have been taken there and are now in circulation.

Mr. ALLISON. How is it as respects our subsidiary silver?

Mr. FORAKER. They are short of subsidiary coin, and that is the reason why as this coin is taken up they want to have it all recoined into subsidiary coin. They have a need for more subsidiary coins, and they do not have a need, as they think, for more standard silver dollars at this particular time.

Mr. ALLISON. I suggest to the Senator that under section 2

it appears to me the government of Hawaii will receive the seigniorage, or profit, which arises from the coinage into subsidiary silver. Now, I think that profit ought to inure to our mints. If we give them back American silver dollars or American subsidiary coin, which we are bound to redeem in gold, they ought to be satisfied without making a profit of 10 per cent, it seems to me; and if this section 2 is correctly interpreted I think that would be the result.

Mr. CULLOM. They are a part of our people.

Mr. ALLISON. They are a part of our people, it is true; but why should we give them the profit instead of giving it to the Mint of the United States? That is the question which occurs to me. So I should think we ought to repay them in silver dollars and let them get our subsidiary coin as other people get it. It is always available to people who want subsidiary silver.

Mr. FORAKER. I am at a loss to clearly understand the Senator from Iowa. If I do understand him, the case is just the opposite of what he presents. We are to take up their standard silver dollars, if I may use that term without being misunderstood, and we are to pay them in our subsidiary coins, which are coined, as the Senator has stated, at 10 per cent less in value proportionately than the standard silver dollars. So the seigniorage would be due to the Hawaiian government instead of to us, as I understand it.

Mr. ALLISON. If it be true that we put into our mints these silver dollars and pay them in subsidiary coin, then the Senator is right. If that is the true interpretation of the section, of course I was wrong about it.

Mr. FORAKER. That is the understanding I have of it.

Mr. ALLISON. Now I call the attention of the Senator to section 6.

Mr. FORAKER. Section 6 is put there simply to avoid any question of the character suggested by the Senator from Iowa. It is a prohibition against the retention of seigniorage or mint dues or charges of any kind on behalf of either government. In other words, it is a transaction that is for the primary benefit of the people in Hawaii, where this coin is to be used, and yet at the same time for our benefit as well as theirs.

Mr. ALLISON. Mr. President, of course this is a matter of no very great consequence, I know, but if the seigniorage was only the cost of coinage that would seem to be all right. However, the seigniorage in this particular case, taking section 2 and section 6 together, is, it seems to me, the seigniorage that we gain by coining fractional silver instead of standard silver dollars. I do not think that section 6 ought to remain there. I should say not.

Mr. TELLER. Nor section 7 either.

Mr. ALLISON. As to section 7, I wish to ask a question, if the Senator will allow me. A silver certificate was issued by the government of the Hawaiian Islands. I wish to know if those silver certificates so issued are now in circulation?

Mr. FORAKER. They are in circulation, but only to a very limited extent.

Mr. ALLISON. Is there not a silver dollar somewhere against them?

Mr. FORAKER. Certainly; there is a silver dollar on deposit in the treasury of the Hawaiian government with which to redeem the silver certificate that is outstanding. Under the law authorizing the issuing of the silver certificates there was a provision made for their redemption by the Hawaiian government. We do not interfere with that at all.

Mr. ALLISON. That is going on?

Mr. FORAKER. That is going on; and the silver certificates are circulating in the meanwhile. The only provision we make on that point is one calculated to hurry up the redemption of them by saying that after the 1st day of January, 1905, they shall no longer circulate as money.

Mr. ALLISON. I do not think there will be any trouble about it. I would suggest that section 6 be stricken out. I think there is no objection to section 7.

Mr. FORAKER. I had nothing to do with the preparation of this bill, but the drafter of it, I understand, prepared it in its present form after consultation with the Secretary of the Treasury.

Mr. COCKRELL. Why not strike out of section 6 the words "retained for the recoinage of the silver coins," because we turn back the equivalent of them? We make no charge for recoinage the standard silver dollar, because we give back the same quantity of them that there was.

Mr. ALLISON. If there are fractional silver coins there, I see no reason why we should not, at our own expense, recoin those fractional silver coins; but the question of seigniorage should not enter into the matter at all, as it appears to me.

Mr. FORAKER. Allow me to suggest to the Senator from Iowa that in the Porto Rican case we dealt with a similar generosity to that which is now suggested by the Senator from Iowa.

Mr. ALLISON. I know, but—

Mr. FORAKER. We did that without complaint. Everybody

thought it was a very proper thing to give them a safe margin. The number of dollars that will be paid in to be recoinage I do not know. It can not be any very considerable amount. The seigniorage can not be any very large sum. All that was no doubt considered by the Secretary of the Treasury and those who drafted the bill.

Mr. ALLISON. The Porto Rican matter presented a very different situation.

Mr. FORAKER. It was different in some respects.

Mr. ALLISON. We paid them, I understand, more than their silver coins were worth in bullion.

Mr. FORAKER. Yes.

Mr. ALLISON. We did that because our Army officers had fixed the value of those coins at 60 cents when they were worth only 50 cents. But I do not know of anything which requires us now to deal with Hawaii as we then dealt with Porto Rico.

Mr. NELSON. Mr. President, I suggest to the Senator from Iowa and the Senator from Ohio this fact. The bulk of the coin that we exchange and get from Hawaii is subsidiary coinage, as I understand it.

Mr. FORAKER. Yes, sir.

Mr. NELSON. It is of the same fineness as our subsidiary coins?

Mr. FORAKER. It is just the same.

Mr. NELSON. In respect to that the question of seigniorage can not arise. It can only arise so far as relates to the silver dollars of Hawaii. If we take them and coin them into silver dollars there is a little seigniorage; but in respect to the subsidiary coin that question can not arise. As I understand it, there is only a limited amount of silver dollars. Most of the Hawaiian silver is subsidiary silver; so there can be no question of seigniorage in respect to that. The fineness of one coin is equivalent to the fineness of the other.

Mr. ALLISON. I thank the Senator from Minnesota for reinforcing my argument. Therefore I suggest that section 6 be stricken out.

Mr. FORAKER. Is that made in the form of an amendment?

Mr. ALLISON. I will move it as a formal amendment.

Mr. FORAKER. Before the Senator makes it, I wish to suggest that we might meet the objection he offers by providing here that "no seigniorage or mint dues or charges shall be made or retained for the coinage of any coins except the standard silver dollar." But that provision would be against the United States instead of in favor of the United States, because a provision of the bill is that all that we take up is to be coined into subsidiary coins. So we can not lose anything in any event. We are going to pay in our depreciated coin (if I may use that expression without being misunderstood) for the coin that we gather in from Hawaii.

Now, inasmuch as it is indefinite to what extent there will be any seigniorage, I hope the Senator will not insist upon his amendment, but let it go as it is, because our Government is certainly not losing anything, in so far as there is not any seigniorage at all, if the measure stands in its present shape. That is the way I understand it.

Mr. ALLISON. We are not losing anything of course.

Mr. TELLER. Mr. President, if this question is settled, I want to make what I think is a correction in the bill. Section 2 contains this provision:

The expenses of transmitting said coins to and from the Hawaiian Islands shall be borne equally by the United States and the government of Hawaii.

There is not any government of that character in existence that I know of.

Mr. CULLOM. It is a Territory now.

Mr. TELLER. It went out of existence when it became a Territory of the United States. In another place in the bill it is properly treated as a Territorial government.

Mr. FORAKER. It ought to read "the Territorial government of Hawaii."

Mr. TELLER. That is what ought to be there. It is all right in the first section, where the bill speaks of dues to the government of the Territory. I think in another place perhaps the correction ought to be made. In section 5 it is all right. It is "Territory of Hawaii" there.

Mr. FORAKER. In section 6 it should read "the Territorial government of Hawaii."

Mr. TELLER. Yes. In the next section it refers to what the original Territory did, and that is all right enough. In section 8 it says, "Certificates issued by the government of Hawaii," and that is right. It was the former government that issued the certificates.

The PRESIDENT pro tempore. The Senator from Colorado proposes two amendments.

Mr. TELLER. I want simply to correct the text by saying "the Territorial government of Hawaii" instead of "the government of Hawaii."

The PRESIDENT pro tempore. Is the amendment accepted?

Mr. FORAKER. Yes; I understand that on motion of the Senator from Colorado the word "Territorial" will be inserted before the word "government" in line 8 on page 2, and also before the word "government" in section 6.

Mr. TELLER. Let it read "Territorial government" in line 8 on page 2 and in section 6, line 15 on page 3. Those corrections I want to have made. In a part of the bill it is all right and in a part it was not.

Mr. FORAKER. I accept those amendments.

The PRESIDENT pro tempore. The amendments will be agreed to, without objection.

Mr. ALLISON. I wish to suggest to the Senator from Ohio that I know no reason why we should take in these coins and appropriate money for recoinning them when the cost of recoinning can be paid out of what we usually call seigniorage. If the Senator thinks, and if it is the best judgment of the Senate, that we are under some obligation to recoin all these coins at the expense of the United States, I shall not oppose it any further.

Mr. HOAR. I do not know much about these matters, but I should like to inquire what is our obligation. This is, of course, in the nature of a debt of Hawaii to keep good the coins there. Now, what is our obligation for the debt? Does it not come under our obligation to the Hawaiian debt?

Mr. FORAKER. Answering the Senator from Massachusetts, I will state that this is not in the nature of a debt obligation. It is simply a bill providing for the retirement of the Hawaiian silver coins now in circulation in Hawaii, coins that were coined by the Hawaiian government.

Mr. HOAR. I understand it.

Mr. FORAKER. They are marked Hawaiian coins, and the provision is that those coins shall be received at their face value in payment of dues to both the Hawaiian government and to our Government, and that in sums of not less than \$500 they may be turned over to the superintendent of the mint at San Francisco for coinage.

Mr. HOAR. I understand that.

Mr. FORAKER. And that they shall be recoinced into subsidiary coin.

Mr. HOAR. But I understand the Senator from Iowa inquired why it was that in recoinning the Hawaiian coins, as this bill provides, the burden of seigniorage on the recoinage should fall on the United States, upon which my question was, saying that I did not know much about it, and I do not, whether it was not required that we should assume it and not have the holder of the coinage assume it, because we had undertaken on examination to be responsible for the indebtedness of Hawaii, and that, though not a bonded debt, it still is a Government obligation. That was the question I put.

Mr. ALLISON. As I understand it, the question is simply this. Here are silver coins in Hawaii, standard silver and subsidiary silver. I am repeating, I know, what I said. It is the purpose of this bill to substitute for those coins coins of the United States. In that substitution the bill provides that these Hawaiian coins shall be coined into subsidiary silver. If they are so coined, they will get 10 per cent more dollars than they have now.

Mr. HOAR. Why?

Mr. ALLISON. Because the subsidiary silver is worth 10 per cent less—that is, 10 per cent less silver is in them than in the standard coin. Now, then, if we give them more dollars than we take of them, which we are bound to do if we coin this bullion into subsidiary silver, we are not paying for this coin, but at the expense of the United States Government we give them 10 per cent more dollars than they give us.

Mr. HOAR. Suppose these were subsidiary coins of the United States and they had become worn or degenerate for any reason whatever, we should in some way give to a man who brought them to the mint other subsidiary coins at their face value, without any regard to what was the value of the metal in them, as an obligation of the Government. You would not let a man with a worn-out quarter of a dollar or a worn-out nickel that got so bad it could not pass any longer lose that subsidiary coin. You would give him a new one or something equivalent in value to its face value.

Now, is not that just what this bill is doing for the Hawaiian coinage, and nothing else? If we do it as an obligation of the Government to the citizens of the United States, ought we not to do exactly the same thing as an obligation of the Government, having assumed the government of Hawaii and its indebtedness of all kinds? Is it doing anything more for them than we do for our own citizens with our own coin? That is the question.

Mr. CULLOM. They are now our citizens.

Mr. HOAR. They are now our citizens.

Mr. ALLISON. If these coins are a debt and we are bound to pay them in gold, then I agree with the Senator. If they are not, then the question I submit to the Senator from Massachusetts, is whether we are bound to take a silver dollar from a citi-

zen and coin it into four quarters and give him a 10-cent piece besides for his dollar, or whether it is not enough for us to give the man four quarters for his dollar, coining it at our own expense, leaving that 10-cent piece, if there be one, in the Treasury itself. That is all there is about it.

Mr. HOAR. I agree that if you give him the actual current value of that he brings to you you have done all you ought to do.

Mr. FORAKER. Mr. President, the Senator from Iowa says that is all there is about it. Truly he has got it wrong end foremost. There is not anything about it that he has stated. We do not take the silver dollar and coin it into subsidiary coin and give a man 10 per cent for the operation in addition to the full value, but we charge him, and take from him 10 cents. It is just the opposite.

Mr. TELLER. We give him two half dollars.

Mr. FORAKER. We give him two half dollars or four quarters, worth only 90 cents, as compared with the standard silver dollar. We take the standard silver dollar that is worth 100 cents, and we give him back four quarters or two half dollars, whichever we may see fit, in full payment. In other words, we make 10 cents by the transaction. Now, if anybody has a right to complain it is the Hawaiians.

Mr. ALLISON. Mr. President, that is a very beautiful story, half told. When we issue United States quarter dollars we agree by our law to redeem those quarters in gold. When we give him four quarters we give him exactly what he had, except that we do what we do not do in the case of our standard dollar when he brings those four quarters to our Treasury. We give him a gold dollar for it. Therefore, in theory, according to the Senator from Ohio, we have substituted a better currency for this standard dollar. So we are now, at our own expense, coining these four quarters and giving him 10 cents for the difference. He ought to be satisfied if we will give him the same kind of money that we take from him and pay the cost of doing it. That is my criticism. It is a matter of no moment to me, except that when Senators say I do not understand it I simply make the suggestion.

Mr. FORAKER. Mr. President, the Senator will not find in the RECORD any statement from me to the effect that he does not understand it. If there is anybody who understands what he is talking about in the Senate it is the Senator from Iowa. He always knows what he is talking about, except when he gets on the wrong side. [Laughter.] That does happen once in a while. I appreciate fully the point he has made here, but the trouble about it is that it has no application to this case. We have not been discussing anything about the effect of substituting silver coin to be redeemed in gold for silver coins that are not redeemable. That is a new proposition altogether.

These coins are circulating in Hawaii on a par with our silver coins. There is no distinction whatever between Hawaiian coins and United States coins as they are in circulation in Hawaii today. Their payment is guaranteed and they circulate at their full value, just as though they also were specifically made redeemable in gold, as the Senator suggests ours are.

Mr. CULLOM. If the Senator will allow me, I will give a statement from the report of the Hawaiian Commission as to what this money consists of:

THE HAWAIIAN CURRENCY.

The gold coins of the United States are the only unlimited legal tender. (Civil laws, sec. 605.)

Hawaiian silver coins are legal tender for amounts not exceeding \$10. United States dimes and half dimes are also legal tender in limited amounts. (Civil laws, secs. 606 and 607.)

COINAGE.

During the years 1884, 1885, and 1886 the following Hawaiian coins were put in circulation, having theretofore been coined at the United States mint in San Francisco (Biennial Report Minister of Finance, 1890, p. 7):

Dollars	500,000
Halves	350,000
Quarters	125,000
Dimes	25,000

This is the only Hawaiian coinage ever executed.

That is the character of silver money those people had when the commission was there.

Mr. TELLER. That was coined in San Francisco?

Mr. CULLOM. Yes.

PAPER CURRENCY.

By session laws 1895, act 19 (civil laws, secs. 672-675), the minister of finance was authorized to issue gold and silver certificates of deposit upon setting aside sufficient of the respective coins for the payment of such certificates. The act also provided for the retirement of all outstanding certificates of deposit.

Under this authority certificates of deposit have been issued to the amount of \$272,500, for the redemption of which silver coin is now held in the Treasury. These certificates have been issued in the following denominations:

5 dollars	\$12,500
10 dollars	35,000
20 dollars	50,000
50 dollars	75,000
100 dollars	100,000

Mr. FORAKER. I am very much obliged to the Senator from Illinois for giving us the information which he has just imparted.

The PRESIDENT pro tempore. The bill is still in the Senate, as in Committee of the Whole, and open to amendment.

Mr. ALLISON. What has become of my amendment to strike out section 6?

The PRESIDENT pro tempore. The Chair was not aware that the Senator had offered an amendment.

Mr. ALLISON. Then I will offer it now.

Mr. FORAKER. I was about to add another remark, if the President of the Senate and the Senator from Iowa will allow me.

Since the accurate information which has been given us by the Senator from Illinois we know that there were coined originally 500,000 of these standard silver dollars. No one knows how many of them are still in circulation, and no one knows how many of them will be brought in for redemption. It was estimated that there were 1,000,000 silver dollars in the aggregate originally coined in subsidiary coin. There is not now probably more than \$900,000 in circulation, but assuming that the whole 500,000 silver dollars will be brought in to be recoined, we would make by the transaction, if the bill stands as it is now worded, \$50,000, or 10 per cent, on all standard silver dollars that will be recoined—that is, the bill provides that for these silver dollars we shall substitute subsidiary coins, which are said to be 10 per cent less in value.

Mr. TELLER. Mr. President, it seems to me that the Senator from Ohio is a little off in that statement. If we get, say, \$500 in silver dollars and coin it into half dollars, we would have 10 per cent more. I think section 6 means that Hawaii shall get the entire amount of coinage; otherwise, what was the use of putting in the bill this language:

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

It seems to me that with section 6 in the bill the Hawaiians do get the seigniorage.

Mr. FORAKER. If the Senator will allow me to interrupt him, I am very much obliged to him for suggesting that construction of the language. I think he is correct about it, and that is, perhaps, exactly what the drafter of this bill intended, that in issuing subsidiary silver coinage as standard silver coins there should be no mint charges, but there should be issued the equivalent of such coin. Taking the other view of it, the one suggested by the Senator from Iowa [Mr. ALLISON], if the view suggested by the Senator from Iowa be the true one, we are not losing but making by the transaction. If the view suggested by the Senator from Colorado [Mr. TELLER] be the true one, neither party is making anything, but there is an exactly fair exchange of this coin. I think we can very well afford either interpretation of the law, and I hope the bill will be allowed to stand.

Mr. TELLER. Those people are now just as much citizens of the United States as are the people of the District of Columbia or those of any section of the country, and I think we are under the same obligation to them. If coins of the United States in use there have become worn, so that they are not current, or if the money is not of good character, we should recoin it. We do not in this country make the party who holds a dollar when it is worn out bear the loss, but we have a system of taking that money and recoinage it, and the Government and not the citizen loses the wastage.

Mr. COCKRELL. That is, unless they get below the standard.

Mr. TELLER. Yes; we recoin them unless they get below the standard prescribed by the statute. These coins are not such as we want in circulation, and we take them up. I do not see why we should not extend the same advantages to those people as we extend to all other people in this country.

Mr. CULLOM. I certainly do hope that the people of Hawaii will not be discriminated against in this matter. They should be treated the same as all the rest of our people.

Mr. ALLISON. I merely want to call attention to these two sections taken together, and they are ingeniously drawn, to say the least. The first section provides:

That the silver coins that were coined under the laws of Hawaii, when the same are not mutilated or abraded below the standard of circulation, shall be received at the par of their face value in payment of all dues to the government of the Territory of Hawaii and of the United States, and the same shall not again be put into circulation, but they shall be recoined in the mints as United States coins.

Those coins are now receivable by the government of Hawaii and by the Government of the United States. Then section 2 provides:

That when such coins have been received by either government—

That is, by the government of Hawaii or the Government of the United States—

in sums not less than \$500 they shall be deposited as bullion in the mint at San Francisco, Cal., and shall be recoined as subsidiary coinage of the United States. And the superintendent of the said mint shall pay for such coins, at their face value, to the proper officer or agent of the Government depositing the same, the sum so deposited, in standard silver coins of the United States.

The point I raise in relation to section 2 is this: These coins

when deposited as bullion in the mint are required to be recoined into subsidiary coinage. Then should not that bullion be coined into so many subsidiary coins at our standard of subsidiary coinage as would make an equivalent in fractional currency?

Mr. TELLER. I think so.

Mr. ALLISON. In other words, if \$500, as is proposed here, of standard coins are deposited in the mint of San Francisco, they are to be recoined as subsidiary coinage of the United States. Is it to be \$500 in subsidiary coin, or is it to be received as bullion? That would make more than \$500 in fractional silver.

Mr. TELLER. I will tell the Senator what I think that means.

Mr. ALLISON. Very well.

Mr. TELLER. A silver dollar contains $412\frac{1}{2}$ grains of silver, 900 fine, and I suppose if it is melted up it will be, of course, in the same relative proportion. When you take two half dollars out you have 384 grains. The difference between that and $412\frac{1}{2}$ grains is what the Senator is calling "the seigniorage."

Mr. ALLISON. Yes.

Mr. TELLER. But it is the property of the Hawaiian people and, it seems to me, it ought to be put into coin for those people and not put into the Treasury of the United States. We lose nothing except the bare cost of recoinage, which is 75 per cent on a hundred.

Mr. ALLISON. I understand that perfectly well. I think, as I stated in the beginning, that this matter is not worth a great deal of controversy. My only point is that we are proposing to make a recoinage here of all the coins in Hawaii, and we are proposing to give the Hawaiians 10 per cent upon those coins. While it is a small matter to us, we are proposing to give them that percentage in coin. We lose nothing by it in one sense, of course, but we coin it for nothing, whilst in any other case of subsidiary coinage we coin the silver, taking ourselves the seigniorage. If Senators desire to make a present to those people, I shall not object to it. The sentiment seems to be that we ought to give Hawaii \$90,000 as a present in addition to recoinage these coins at our own expense. If that is the sentiment of the Senate, I shall offer no amendment to the bill.

Mr. TELLER. Nothing of the kind is proposed to be done. We do not give to the people of Hawaii \$90,000 or any other sum, but we coin their silver, figuring it at 192 grains to a half dollar, and I suppose when we coin two half dollars it cost a little more than it would cost to coin one silver dollar.

Mr. ALLISON. Allow me to interrupt the Senator.

The PRESIDENT pro tempore. Does the Senator from Colorado yield?

Mr. TELLER. Certainly.

Mr. ALLISON. There are $412\frac{1}{2}$ grains of silver in the standard silver dollar.

Mr. TELLER. If not worn too much.

Mr. ALLISON. There are 384 grains of silver in two half dollars. Therefore there are $28\frac{1}{2}$ grains of silver somewhere which belong to somebody. Who shall have it? We are giving back to the people of Hawaii substantially the same dollar in two halves that we took from them. I appeal to the Senator from Massachusetts [Mr. HOAR], and I will ask him this question: If we take from the Hawaiians a dollar and coin it into two half dollars, do we not give back to them as much in the way of currency and coin as we took from them?

Mr. HOAR. Mr. President—

Mr. ALLISON. I should like to have the Senator's view upon that particular question.

Mr. HOAR. I am going to tell you that, but I am going to state it in my own way, because there may be something in the particular phrase of the honorable Senator of which I do not see the full application. I am rather diffident of expressing my opinion in the presence of the wise men who deal with these great questions, but as we all have got to vote upon this matter, I should like to understand it.

When this first section goes into effect there will be a lot of men in Hawaii who have got half dollars or quarter dollars or dollars, or whatever they are, in their pockets, which are worth so much for the purposes of currency, in buying goods and paying debts, because they are legal tender.

Mr. ALLISON. They are receivable for all dues.

Mr. HOAR. Very well. Those people give those coins to the Government of the United States, and they get something back of exactly the same value for the same purpose. Now, absolute justice has been done—

Mr. ALLISON. To them.

Mr. HOAR. To that people. The Hawaiian government is expected to receive some of these coins, and we shall have some paid directly to us. The Hawaiian government then gets into its treasury a lot of half dollars or quarter dollars or whatever the coins may be—

Mr. ALLISON. Or dollars.

Mr. HOAR. Or dollars, which they can pay out and expend

for the payment of men for working on the roads or anything else, and for what they have got they got the exact value, no more and no less, and when this coin is deposited they are entitled to get the exact value from the United States Government, no more and no less.

Mr. ALLISON. That is right.

Mr. HOAR. So we have done absolute justice to all concerned, because they have got just what they had before in value, and we have paid them what is exactly the equivalent in value to what they had before, and we have got it now.

Now, what becomes of it after that time? These two parties having been dismissed with absolute justice—the government of Hawaii and the Hawaiian people—it is the business of the United States, and it ought to be the business of the United States, if there is any loss by that transaction, as we now are the Government for all purposes of currency in Hawaii—and Hawaii has gone out of the business of government—if there is any loss in such a performance we ought to bear it, just as we should with our own citizens, and if there is any gain in such a performance we ought to get it, because nobody on earth has any right to complain when we are only doing what is the absolute duty of the Government. That is the way it strikes me.

Mr. ALLISON. The Senator is precisely right.

Mr. HOAR. Very well. Then I hope the Senator will vote in the same way I shall.

Mr. ALLISON. I want now to show that the Senator is right, so that other Senators will follow him and me in this vote.

I inquired of the Senator from Colorado [Mr. TELLER] what would become of this 28½ grains of silver that had not been used in recoining these dollars into half dollars. Will it go into the Treasury of the United States, where it ought to go? But if I construe aright section 6, it will not go into the Treasury of the United States. Of course all that is paid into the Treasury will go to the Government of the United States, but the portion of it which is paid to the government of Hawaii will go into the Hawaiian treasury; otherwise the circumlocation that we find here would not be found to be necessary in the framing of this bill.

Mr. McLAURIN of Mississippi. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. McLAURIN of Mississippi. This bill proposes to pay a dollar for four quarters or a dollar for two halves?

Mr. ALLISON. That is not what it proposes. Of course, if it proposed that there would be no difficulty, but it proposes that this coin turned over by the government of Hawaii shall be coined into subsidiary coinage.

Mr. McLAURIN of Mississippi. If we coin \$500 of bullion into quarters or halves, it will make more than \$500, will it not?

Mr. ALLISON. Five hundred and fifty dollars in round numbers.

Mr. McLAURIN of Mississippi. Then this bill proposes to pay \$550 for \$500?

Mr. ALLISON. I think, taking the two sections together, the bill is intended to accomplish just that purpose. I want the bill framed so that it can not be so construed; but it seems that I am all wrong about it. So I leave the question now to Senators who want to give to the Hawaiians the seigniorage which will arise from this process.

The PRESIDENT pro tempore. Does the Chair understand the Senator from Iowa to offer an amendment?

Mr. ALLISON. I do. I offer an amendment to strike out section 6.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Iowa [Mr. ALLISON] will be stated.

The SECRETARY. It is proposed to strike out section 6, in the following words:

SEC. 6. That no seigniorage, or mint dues, or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Iowa. [Putting the question.] By the sound the "ayes" have it.

Mr. FORAKER. I call for the yeas and nays, Mr. President. ["No!" "No!"]

The PRESIDENT pro tempore. Does the Senator from Ohio insist on his demand for the yeas and nays?

Mr. FORAKER. I will withdraw the demand, Mr. President.

The PRESIDENT pro tempore. Then the amendment is agreed to.

Mr. HOAR. I can not myself see what earthly difference it makes whether the section is in or out of the bill. I can not see the slightest use of it.

Mr. FORAKER. There may not be, but I am still clearly of the opinion that the Senate has voted under an absolute misapprehension. Of course I have not any right, perhaps, to say that,

in view of what has been said; but I do say it, for it is as clear a misapprehension as ever was impressed on a legislative body.

Mr. NELSON. Will the Senator allow me to suggest a compromise?

The PRESIDENT pro tempore. The debate seems to be out of order.

Mr. FORAKER. It is out of order and can not proceed, I recognize, except by unanimous consent.

Mr. NELSON. Will the Senator from Ohio allow me to make a suggestion?

Mr. FORAKER. Certainly.

Mr. NELSON. I suggest a compromise between the Senator from Ohio [Mr. FORAKER] and the Senator from Iowa [Mr. ALLISON] in section 6, on page 3, line 13, by striking out the words "seigniorage or;" so as to read:

SEC. 6. That no mint dues or charges shall be made or retained for the recoinage of the silver coins of the government of Hawaii at any mint of the United States under the provisions of this act.

I think that will accomplish the object and be fair.

Mr. FORAKER. The whole section has been stricken out.

The PRESIDENT pro tempore. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. FORAKER. There was an amendment, on page 3, recommended by the committee. Has that been acted upon?

The PRESIDENT pro tempore. That amendment has been agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAM ACROSS RAINY RIVER.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 3375) relating to the construction of a dam across Rainy River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with amendments, in section 2, page 2, line 4, after the word "and," to strike out "for the purpose of improving the navigation of Rainy Lake;" in line 9, after the word "will," to strike out "in the judgment of the Secretary of War," and in line 12, after the word "stream," to insert the following proviso:

And provided further, That nothing in this act contained shall be construed as relieving the Koochiching Company, its successors or assigns, from liability for any damage inflicted upon private property by reason of the raising of the waters of the lake as aforesaid.

So as to make the bill read:

Be it enacted, etc., That the time for the construction of a dam across the Rainy River by the Koochiching Company, its successors and assigns, as provided by chapter 238 of volume 30 of the Statutes at Large and chapter 346 of volume 31 of the Statutes at Large, is hereby extended to May 4, 1907.

SEC. 2. That the Koochiching Company, its successors and assigns, is hereby authorized to construct and maintain said dam, subject to the terms of said chapter 238 of volume 30 of the Statutes at Large, upon the plans now on file with the Secretary of War, or any modification of said plans which the Secretary of War may approve; and the Koochiching Company, its successors and assigns, is hereby authorized to construct such dam at such height as will raise the waters of Rainy Lake to high-water mark: *Provided*, That said dam shall be furnished with such openings or gates or waste ways as will carry the waters of the river at flood stage without raising the water higher than it would rise in the natural condition of the stream: *And provided further*, That nothing in this act contained shall be construed as relieving the Koochiching Company, its successors or assigns, from liability for any damage inflicted upon private property by reason of the raising of the waters of the lake as aforesaid.

SEC. 3. That this act shall take effect and be in force from and after its passage.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT CHARLOTTESVILLE, VA.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1510) providing for the erection of a public building in the city of Charlottesville, Va.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates not to exceed \$100,000 to purchase, or acquire by condemnation proceedings, a site for a building to be erected thereon, and to cause to be erected at Charlottesville, Va., a suitable building for the use and accommodation of the United States courts, revenue office, post-office, and other Government offices in that city, with fire-proof vaults extending to each story; the building thereon to be completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO GENERAL OFFICERS OF THE ARMY.

Mr. WARREN. I ask unanimous consent for the consideration at this time of the bill (S. 3400) to amend section 1098 of the Revised Statutes of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with amendments, in line 9, after the word "captains," to insert "or lieutenants;" and in the same line, after the words "of the," to strike out "line" and insert "Army;" so as to make the bill read:

Be it enacted, etc., That section 1098 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Each major-general shall have three aids, who may be selected by him from captains or lieutenants of the Army, and each brigadier-general shall have two aids, who may be selected by him from captains or lieutenants of the Army."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPRAISERS AT PHILADELPHIA AND BOSTON.

Mr. HOAR. I ask unanimous consent to call up the bill (S. 4139) to diminish the number of appraisers at the ports of Philadelphia and Boston.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that hereafter there shall be one appraiser of merchandise at each of the ports named, instead of two, at a salary of \$5,000 each per annum, instead of \$3,000 each.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH L. W. BAILEY.

Mr. GALLINGER. I ask unanimous consent for the consideration of the bill (S. 2388) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Let a part of the report in the case be read. The Secretary proceeded to read the report submitted by Mr. GALLINGER on the 10th instant, which is as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 2388) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased, have examined the same and report:

In 1883 Davis W. Bailey instituted a suit at law against the District of Columbia in the supreme court of the District to recover damages in the sum of \$25,000 for an alleged breach of contract, for laying and resurfacing asphalt pavement, and for extra work done under said contract in Washington, D. C.

In 1885, upon the death of Contractor Bailey, his widow, as his administratrix, was, by order of the court, made plaintiff in his place in said action, and is now the beneficiary named in the bill under consideration.

In 1892 the plaintiff and defendant mutually agreed to submit the pending case to arbitration, and the parties in interest chose J. J. Johnson, a member of the District bar, as their arbitrator to hear and determine all matters at issue in said case and to make a final award thereon.

Thereupon the said arbitrator entered upon his duties, gave the parties to the cause a full and fair hearing, and made a written award in which he found that there was due from the District of Columbia to the plaintiff, on account of the contract which formed the basis of the case, the sum of \$10,519.20.

Following the filing of this award the District contested the same, and in March, 1893, the plaintiff, relying in good faith upon the agreement that the submission of the pending case by the litigants to Johnson was to be a finality, and believing that the award operated as a discontinuance of the pending case, brought suit direct against the District in the supreme court of the District to enforce the award. To this suit the defendant District pleaded that there never had been any agreement to submit to final arbitration the matters in dispute in the suit upon the contract, and that therefore there never had been an award.

Upon this issue the suit upon the award was, in January, 1896, brought to trial in the supreme court of the District of Columbia, before Justice McComas and a jury, and the jury found a verdict for the plaintiff for the said sum of \$10,519.20, with interest from the date of filing the award, to wit, the 18th day of July, 1892.

From the judgment entered upon this verdict the defendant District appealed to the court of appeals of the District of Columbia, and the court of appeals affirmed the judgment. (See 2 Appeal Cases, D. C., 390.)

From this judgment the defendant District appealed to the Supreme Court of the United States, and the Supreme Court of the United States reversed the judgment upon the sole and technical ground that the Commissioners of the District of Columbia, under the act of June 11, 1878, which may be termed the charter of the District, were without authority to agree to submit a matter in controversy to the final award of an arbitrator.

The Supreme Court did not in any way pass upon the merits of the case. (See 171 U. S., 161.)

This statement of facts is based upon the judicial records in the cases and upon the following letter from the chairman of the Board of Commissioners of the District of Columbia, Hon. B. F. Macfarland, under date of August 7, 1901:

In the matter of the claim of Elizabeth W. Bailey.

This is a claim for compensation for extra work and damages under a contract between the Commissioners of the District of Columbia and the Bailey French Paving Company dated July 30, 1879, to resurface with asphaltum pavement certain streets in the city of Washington.

Davis W. Bailey was the general agent of said company and claimed to be said company in fact. He instituted an action at law in the supreme court of the District of Columbia against said District for damages, etc., growing out

of said contract. On June 19, 1893, Bailey died, but the action was revived in the name of his widow, who was appointed administratrix.

On January 11, 1892, the Commissioners of the District of Columbia appointed J. J. Johnson referee in the case.

The referee reported \$10,518.20 due the claimant, and that report became the subject of a suit in the supreme court of the District of Columbia, in which judgment for said amount was rendered. The action of that court was sustained by the court of appeals, but the decision of the court of appeals was reversed by the Supreme Court of the United States upon the technical ground that the Commissioners of the District of Columbia had not the power to bind the District by common-law submission of the pending suit for breach of contract to a referee.

There is nothing in the papers to lead the Commissioners to infer that the supreme court of the District and the court of appeals did not thoroughly consider the merits of the claim before affirming the referee's award. Neither have the Commissioners at their command any facts bearing on the case that were not accessible to those tribunals, and it might be presumptuous in them to review their proceedings, especially in view of the lapse of time and the absence of any new testimony in the matter. It therefore seems that if Congress should not deem the judgments of the supreme court of the District and of the court of appeals conclusive as to this claim, it should be referred to the United States Court of Claims.

HENRY B. F. MACFARLAND,
Commissioner.

Upon this statement of facts your committee find:

That the suit upon the contract was actually submitted to final arbitration by both the plaintiff Bailey and the defendant District, and that both parties would have been bound by the award but for the technical limitation of authority found by the United States Supreme Court in the final decision to exist in the Commissioners of the District of Columbia to submit any case to arbitration.

That no claim is anywhere made in this matter impeaching the integrity of the award or the competency or honesty of the arbitrator, Johnson, who was a member of the bar of the District of Columbia and a commissioner of the supreme court of the District.

That all the testimony that the District of Columbia had or has was submitted to the arbitrator upon the hearings before him.

That the United States Supreme Court did not pass upon the merits of the controversy, but reversed the judgment upon the award upon the sole ground that the Commissioners of the District of Columbia were without authority under the act of June 11, 1878, to submit the matter in controversy to the final award of an arbitrator. (See 171 U. S., 161.)

That because the Commissioners of the District of Columbia erred in the assumption of authority in the submission of the matter to an arbitrator is no good reason why the plaintiff, who acted in good faith, and who duly established the merits of her case before a competent arbitrator and before court and jury of the supreme court of the District of Columbia and the court of appeals of the District of Columbia, should be deprived of her rights thereby.

Your committee regard this case as one especially calling for and meriting Congressional relief, and therefore report the bill back with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MILITARY BADGES.

Mr. WARREN. I ask unanimous consent to call up the joint resolution (S. R. 57) relating to military badges.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that the distinctive badges adopted by military societies of men who served in the armies and navies of the United States during the Chinese relief expedition of 1900 may be worn upon all occasions of ceremony by officers and men of the Army and Navy of the United States who are members of such organization in their own right.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 13, 1902, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate March 12, 1902.

MELTER AND REFINER.

Charles M. Gorham, of California, to be melter and refiner of the mint of the United States at San Francisco, Cal., in place of Alexander Martin, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 12, 1902.

ASSOCIATE JUSTICE OF ARIZONA.

Richard E. Sloan, of Arizona Territory, to be associate justice of the supreme court of the Territory of Arizona.

POSTMASTERS.

F. A. Turner, to be postmaster at Avoca, in the county of Potawatamie and State of Iowa.

John Bird, to be postmaster at Parkersburg, in the county of Butler and State of Iowa.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 12, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

STATUTES AT LARGE FOR HOUSE LIBRARY.

Mr. McCLEARY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a resolution, which the Clerk will report to the House.

The resolution was read, as follows:

Resolved, That the Superintendent of Documents be, and he is hereby, authorized and directed to issue to the library of the House, for use in said library, 25 copies of volume No. 27 of the United States Statutes at Large.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. McCLEARY, a motion to reconsider the last vote was laid on the table.

CLERK, UNITED STATES COURT, WILMINGTON, N. C.

Mr. BELLAMY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The Clerk read the bill (H. R. 184), to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C., as follows:

Be it enacted, etc., That section 3, chapter 282, of the United States Statutes at Large, volume 17, be amended by adding thereto, at the end of said section, the following:

"And the circuit and district judges for the eastern district shall appoint, besides a clerk of said court held at Raleigh, an additional clerk, who shall reside and keep his office at Wilmington and be clerk both of the district and circuit court held at Wilmington, and who shall have the custody and control of the records of said courts, shall give the same bond required of circuit and district courts of said district, and shall receive the same fees and compensation for services performed by clerks of such courts now fixed by law."

The following amendment, recommended by the Committee on the Judiciary, was read:

On page 2, in line 1, after the word "required," insert the words "of the clerk."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. LOUD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post-Office appropriation bill (H. R. 11354), with Mr. LITTLEFIELD in the chair.

Mr. SIMS. Mr. Chairman, I do not rise for the purpose of discussing the features of this bill. It will be remembered that on Monday I arose to a question of privilege, and when my privileged question was stated it was held by the Speaker not to be a question of privilege. I desire, therefore, to take up what I intended to state as a matter of privilege at this time. In order that the House may understand exactly what I wish to bring before it, it will be necessary to make some preliminary statements. It will be remembered by the members of the House that a bill was brought in here and favorably reported to create a permanent Census Bureau. The bill was very short, had but few details, but reenacted the law in existence, modifying it only by repealing such parts as were inconsistent. There was considerable discussion, and it was made manifest in that discussion that the desire of this House was that the employees of the Census Bureau who had been in service from the day they were appointed to that time should be covered into the classified service and placed upon the eligible list and made subject to transfer.

A motion to recommit the bill with instructions was made. A part of the instructions were that the employees of the Census Office should be placed in the civil service. In my remarks I will give the exact motion to recommit. The bill was brought into this House as reported under instructions, with the following section in it:

SEC. 5. That all employees of the Twelfth Census Office at the date of the passage of this act above the grade of skilled laborer shall be, and they are hereby, placed under the provisions of the civil-service act approved January

16, 1883, and the amendments thereto and the rules established thereunder; and all new appointments in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

The bill was passed with the clause exactly as contained in the bill and reported by the committee. After it was passed it went to the Senate, and was reported over there and passed exactly as I now read it. Section 5 was passed in the Senate retaining every word that was in the bill passed by the House and added simply this—or rather struck out and added—as follows: Line 25, of page 3, the word "twelfth" was stricken out by the Senate, and in line 1, page 4, the words "above the grade of" were stricken out; in line 2 the words "skilled laborer" were stricken out. These were all the words of the House section that were stricken out. In the Senate were added after the words "of this act," in line 1, page 4, the words "except unskilled laborer, holding positions which are classified in other departments of the Government." Then, at the end of line 4 and at the beginning of line 5, these words were added, "without further examination." Then, after the word "thereunder," in line 8, this provision was added by the Senate, "and persons who have served as soldiers in any war in which the United States may have been engaged, and the widows of soldiers, shall have preference in the matter of certification;" and in line 11, after the word "appointments," the words "to the clerical force" were inserted.

These were all the additions to section 5 as it passed the House; not a word in the amendment changed in any manner the object, purpose, or aim of section 5. Not a word of the Senate amendment had any effect whatever, except to make it more specific and more definite, with the exception of that added of giving soldiers the preference, which was not inconsistent with the chief object and purpose of the section. The Senate made other amendments. The bill, as amended by the Senate, came over to the House, and the Senate amendments were nonconcurrent in. The bill went to conference. The conferees made a report. It was brought to this House, members of the House will remember, on Friday, the day set apart under the rules for the consideration of private pension bills.

Mr. BOUTELL. What day of the month was that?

Mr. SIMS. The day of the month was February 28, as I now remember.

It was brought here when the Committee of the Whole was in session. The committee rose. We all know that on those days set apart for the consideration of private pension bills there is a great hurry, there is a great rush, in order to get as many considered and acted upon as possible, because they can not be considered and acted upon on any other day. Therefore any other business which would seriously interfere with the consideration of private pension bills would be objected to and not meet with favor from members of the House; and therefore any action questioning this conference report or going into details would have met with disfavor, and, as gentlemen also remember, few members are usually present on pension days. The committee rose. The report was sent to the desk by the chairman of the Select Committee on the Census, the gentleman from Illinois [Mr. HOPKINS], who made this statement:

Mr. Speaker, I desire to call up the conference report on House bill 10308. I ask that the statement of the House conferees may be read in lieu of the report.

What reason did the distinguished chairman give for asking that the statement be read instead of the report?

A MEMBER. What page are you reading from?

Mr. SIMS. I am reading from page 2256 of the RECORD:

The statement covers the question fully.

That was the statement of the chairman.

"The statement covers the question fully." Did we have the right to rely on that statement? Most assuredly we did. Therefore no objection was made to the report not being read. The statement was read.

Mr. LOUD. Is the report printed in full as well as the statement?

Mr. SIMS. Yes; and I am going to read it in order that the House may see that the statement was not full as to section 5 in the report; and I will read the section from the report, and ask your close attention. Section 5 of the report of the conferees reads thus—after speaking of the other amendment, it says:

Strike out all of the amended section and insert in lieu thereof the following—

The amended section was section 5, which I have read. The report says strike it all out, and then this follows:

SEC. 5. That all employees of the Census Office at the date of the passage of this act, except unskilled laborers, may be appointed by the Director of the Census, with the approval of the head of the Department to which said Census Office is attached, and when so appointed shall be, and they are hereby, placed, without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and persons who have served as soldiers in any war in which the United States may have been engaged, who have been honorably discharged from the service of the United States, and the widows of such soldiers, shall have preference in the matter of employment; and all

new appointments to the permanent clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

This is what was put in in place of section 5—an entire new section, entirely opposite in meaning, and necessarily must be so in execution. Here is section 5 as passed by the House and Senate:

SEC. 5. That all the employees of the Twelfth Census Office, at the date of the passage of this act, above the grade of skilled laborer, shall be, and they are hereby, placed without further examination, under the provisions of the civil-service act approved January 16, 1883, and the amendments thereto and the rules established thereunder; and all new appointments to the clerical force in the Census Office hereby created shall be made in accordance with the requirements of the civil-service act above referred to.

What further does the statement show in connection with section 5? The statement as to section 5 is this:

Section 5 of the proposed bill provides for the appointment of the present employees of the Census Office by the Director of the Census, with the approval of the head of the Department to which said office is attached. The conferees examined a number of the decisions of the Supreme Court of the United States and found that the chief officer of a bureau attached to an executive department is not the "head of a department" within the meaning of Article II, section 2, of the Constitution so as to authorize Congress to vest in him the power of appointment. (*United States v. Germaine*, 99 U. S., 508.) It is proper, however, to provide that the chiefs of bureaus shall make the appointments with the approval of the head of the executive department. (*United States v. Hartwell & Wallace*, 385.) It is believed that the section submitted by the conferees will effect the wishes of the members of the House.

How in the world could these conferees suppose that that section could effect the wishes of the members of the House? After a long discussion in both House and Senate they had voted to pass the employees of the Census Office as a body under the civil-service law. This section does not pass anybody under the civil-service law except such as are appointed thereafter. What else do the conferees say in their statement? They say:

In conclusion, the conferees on the part of the House desire to state that the bill finally agreed upon and now reported to the House is substantially the same as the one passed by the House January 30, 1902.

I want to know how this House, from that statement, after it being said that the bill was substantially the same as that passed by the House on a specific date, could be enlightened by this statement; how could it be anything else than grossly outraged and deceived? That statement does not inform, but it is misleading and deceives, and it was passed without the House knowing a word except what the chairman said, and I will read it in full. It is as follows:

Mr. HOPKINS. Mr. Speaker, the statement presented by the conferees on the part of the House so fully covers all of the items of disagreement between the two bodies that I take it it will be unnecessary for me to make any further statement. The bill is practically the same as it passed the House.

This is the oral statement of the chairman, accompanied by the written statement that the bill is practically the same. Section 5 in the report is of no kin to section 5 in the bill.

Mr. LOUD. Will the gentleman allow an interruption?

Mr. SIMS. I will; yes, sir.

Mr. LOUD. The gentleman's position is that the committee deceived the House. That is what he is trying to show?

Mr. SIMS. The conference committee; not the Select Committee on the Census.

Mr. LOUD. It is the conference committee that we are talking about. That is the gentleman's complaint?

Mr. SIMS. That is my complaint.

Mr. LOUD. Now, the gentleman need not answer this unless he chooses, but I would like his opinion as to whether he thinks that deception was more honest in its results and better for the interest of the civil service of the country than if we had done what we were attempting to do. We were attempting to steal something and did not accomplish it. [Laughter.]

Mr. SIMS. I am coming to that; I am glad the gentleman asked the question. My contention is that the House was deceived, and deceived by the action of the conference committee, in violation of the rules of the House and of all parliamentary rules. I contend that a conference committee has no right to strike out the text that has been agreed upon by the two Houses and substitute therefor a new text entire, and then state to this House that it is substantially like the act that passed the House on a specific day, when it is not substantially the same, but entirely different.

Mr. Chairman, bills when they are introduced into this House are printed. We have time to read and study them. The reports upon them from the committees are printed, and we have time to read and study them. But here comes in a conference report of the highest privilege, not printed, acted upon suddenly under the idea that a result might follow, which I will refer to in a moment, if the bill was passed speedily, brought in on a day on which great impatience is manifested—to wit, on the day that private pension bills are considered—if any other business is presented, and through an absolutely misleading statement disposed of in haste and without full consideration. I ask this House if the integrity of the House has not been assailed? If it has got so that conferees can not be believed, if the House has got to investigate

every conference report in every detail and can not take the word of honorable gentlemen, to what pass have we come? The injury which has been inflicted upon this House reaches far above the few census clerks that might be affected by it. If such action has been done willfully, it calls for the strongest censure upon any member of this House so offending, if no stronger punishment is inflicted; but inasmuch as one of the distinguished gentlemen affected by the remark is not here I will not propose at this time any punishment.

Mr. WARNOCK. May I ask the gentleman a question?

Mr. SIMS. Certainly.

Mr. WARNOCK. There has been so much confusion that I have not been able to hear distinctly what the gentleman says is the difference between the section as passed by the House and this report that was agreed upon by the conferees.

Mr. SIMS. I will be glad to state it more specifically. In substance, section 5 provided that those who should be in the Census Office at the passage of the act should be entitled to the privilege of the civil-service law without further examination, and thereby become subject to transfer. It was not the object of section 5 to demand that the Director of the Census should keep a number of useless clerks. The object was to make those clerks subject to transfer—to give them a place under the civil-service law, so that they might be transferred to any other department upon the demand of the head of such department as though they had gone through in the usual way.

Section 5 of the report of the conferees does not even deal with this question; but it designates who may appoint and how employees may be appointed, and provides that when so appointed they shall become subject to the civil-service law. While the report says that the section was stricken out, the statement does not show it. At the request of the chairman of the conference committee the report was not read, but the statement was.

Now to the point. I consider that the fact that certain census clerks were to be affected by the law as passed by the adoption of the conference report is a matter of utter insignificance as compared to the gravity of the action of the conferees, or whoever of them has done this thing. It goes to the integrity of the House.

Mr. Chairman, even if the bill as passed is better than the one this House supposed it was acting on, the question is, How was it passed? Have we any right to legislate in this way? I challenge the statement that the law as actually passed is better than the law as this House intended to pass it. Let us see. What does the civil-service examination do? It shows that the person who has stood the examination possesses certain qualifications. With these qualifications he may be appointed to a place in the public service. When he has successfully passed that examination and goes upon the eligible list, what has he got? Simply a slim opportunity to be appointed—no certainty; it is a mere chance to be appointed; and when he is appointed he is to be further trained by actual service in order that he may be fitted for the duties to be performed in the position to which he is appointed.

Now, we have 1,800 or 2,000 clerks who have passed an examination which, as shown by the discussion in the Senate and the House, is, as a test of the qualifications of the appointee, superior to the regular civil-service examination. In addition to that, these employees of the Census Bureau have had eighteen or twenty months' service—possibly two years. None of the permanent employees have served less than eighteen or twenty months. They have had this much actual experience in clerical work of a high, technical order.

Now, my friends, looking to the good of the country, looking to the good of the service, when the head of a Department wishes to call for a clerk why should he not consider the service which has been performed and take a clerk who has had all the benefits of a higher order of examination than the civil-service examination, as provided under the law, and in addition has had an experience of over one year of actual clerical work?

Therefore, I say, in answer to the gentleman from California, that in providing that these clerks should be placed under the benefits of the civil service, so that they might be called for by the heads of the different Departments, we acted in the interest of the whole country—in the interest of the public service. We were not moved alone by the claims of the clerks who without such legislation were liable to discharge. I will not deny that that consideration formed a part of the case as we acted upon it.

Mr. TALBERT. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. TALBERT. If it is a fact that a member of this House at the head of a conference committee has brought in here a report which has actually misled and deceived the House, and thereby nullified a paragraph or some portion of the bill as we intended to pass it—if that is the fact, and the gentleman in speaking about it seems to think it is true—what redress have we? What course would the gentleman suggest—what plan of redress? In case the thing is true, what would he have us do in the premises?

Mr. SIMS. Inasmuch as the chairman of the conference committee is not present this morning, I do not wish to state what I think ought to be done if these matters are true, as they appear to be. I should prefer to have the gentleman make his statement before we determine what should be done, if anything. All the statements I have made are matters of record, and appear in the CONGRESSIONAL RECORD.

Mr. TALBERT. In other words, what can the House do? Can there be a committee appointed—

Mr. SIMS. The House can do anything, even expel, if it thinks the offense grave enough.

Mr. LOUD. Now, will the gentleman yield to a suggestion?

Mr. SIMS. Certainly.

Mr. LOUD. I know the gentleman wants to be fair, and I do not believe in anybody "deceiving the House;" but in view of the fact that nobody had discovered the effect of the provisions contained in that conference report until the Attorney-General (it is so reported) gave a learned decision upon the meaning of the section, is it not possible that even the chairman of the committee may not have understood just how somebody else might construe that provision?

Mr. SIMS. I think it is very possible that such may have been the case. But the gentleman from South Carolina [Mr. TALBERT] made a hypothetical statement, based upon a supposed statement of facts.

Mr. LOUD. If any gentleman has deceived the House, he ought to be and will be punished in his own conscience. But I have some doubt whether the gentleman referred to did intend any deception, in view of the fact that many members of Congress who looked at the provision as passed could not determine its meaning; and it may be possible that two of the best lawyers in the country in determining a legal question like this might give different interpretations. Is not that possible?

Mr. SIMS. Mr. Chairman, let me ask the gentleman a question. Has any member of this House examined the section as reported by the conferees and passed in connection with section 5, which was stricken out, that does not know that they do not mean the same thing?

Mr. LOUD. That I do not know; but it is currently reported, however, that the Attorney-General took some three or four days to determine what this provision did mean.

Mr. SIMS. If it is permissible, I will make a statement which I think will throw some light on that question. When this report was printed—and I saw it on Saturday, after it went into the RECORD on Friday—I read that section, and in connection with Mr. SNODGRASS, my colleague from Tennessee, on Saturday, the day after it was passed, went to the Census Office to see the Director, but he was not present. We then called on the chief clerk in the appointment division, Mr. Langley, and called his attention to this and wanted to know what it meant. The best we could get out of it from his statement was that this had application to the appointments to be hereafter made in a permanent Census Office; and he further said, as I understood him, though I might be mistaken, that to remove all doubt a list was then being made out, and just as soon as the act was passed that every clerk then in the Bureau would be reappointed, with the approval of the Secretary of the Interior.

Mr. LOUD. Then he so understood that provision after it was passed—

Mr. SIMS. He understood, in order to get around the provisions of a law passed through this House that was never intended, that they could accomplish the purpose in that indirect way by having the whole force reappointed. That section did not deal with appointments as passed by the House and Senate.

Mr. LOUD. Will the gentleman allow me to make one more suggestion, and then I will stop and allow the gentleman to have all the time he desires?

Mr. SIMS. Certainly.

Mr. LOUD. Outside of the bare proposition of deceiving the House, if we look at it from the ultimate results, I should say that the conference committee deserve the eternal thanks of Congress for what has been accomplished.

Mr. SIMS. That is a question on which I must take issue with the distinguished gentleman.

Mr. LOUD. That is, we tried to steal something, but they prevented us from accomplishing it, metaphorically speaking.

Mr. SIMS. I must take issue with the language of the gentleman. This House, in the most open manner, after we had discussed the measure several hours in the House, and it was also discussed at length in the Senate, in which the intention of the House was stated to cover into the service men well qualified to be therein, men better qualified than could be had in the regular way, passed this bill. Does the gentleman call that stealing?

Mr. LOUD. Well, it is taking an office or two.

Mr. SIMS. How does it show stealing?

Mr. RUCKER. May I ask the gentleman a question?

Mr. SIMS. Certainly.

Mr. RUCKER. Do I understand the gentleman from California says that the House attempted to steal something?

Mr. LOUD. Oh, metaphorically speaking.

Mr. RUCKER. The gentleman from Tennessee objects to the language, Mr. Chairman, and I want to know if the gentleman from Tennessee objects to the gentleman from California making a confession if he wants to make it.

Mr. SIMS. The gentleman from California does not need to make any confession.

Mr. RUCKER. That is a wholesale accusation against us all.

Mr. LOUD. You all voted for it.

Mr. RUCKER. I did not try to steal anything, however.

Mr. LOUD. I will say that I would never have voted for it if I had had the opportunity of voting.

Mr. BARTLETT. I desire to call the attention of the gentleman from Tennessee to the fact that the House did the same identical thing with reference to temporary clerks in the War Department and in the Treasury Department, in the appropriation bill for the executive, judicial, and legislative departments.

Mr. SIMS. Well, Mr. Chairman, I have not examined those bills, but I have no doubt that my distinguished friend from Georgia is entirely correct.

Mr. RUCKER. If one was a steal, then the other is a steal.

Mr. SIMS. Certainly, and the gentleman from California may take the same view. I want to defend the House from the charge of having stolen anything. Stealing is done secretly; it is not done openly. It is done more like this section was gotten through in this report.

Mr. SNOOK. I want to ask this question: If a casual reading of the section as contained in the original bill, and comparing it with the section as contained in the report of the conference committee, will not show that they are on totally different subjects?

Mr. SIMS. I want to answer the gentleman from Ohio and state that not only a casual reading but a careful reading shows that they are on totally different subjects.

Mr. SNOOK. One more question: Taking that in connection with the statement of the committee that there were some grave doubts about the constitutionality of section 5 as it was reported to the House by the conference committee, did not that tend to mislead the House directly as to what was in that section?

Mr. SIMS. Why, certainly, Mr. Chairman, the report of the conferees, or the statement, speaks about a doubt as to the constitutionality of section 5, when section 5 does not say one word about who is to make the appointment, but—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. RUCKER. I ask unanimous consent that he have ten minutes more.

Mr. SIMS. I will not use much time.

The CHAIRMAN. Unanimous consent is asked that the gentleman be granted ten minutes more. Is there objection? [After a pause.] The Chair hears none. The time of the gentleman is extended.

Mr. RUCKER. May I interrupt the gentleman?

Mr. SIMS. Certainly.

Mr. RUCKER. I should like to know if it is any more of a steal for the House and the Senate, after full discussion, to pass this bill placing people in the classified service who have stood an examination and shown their qualifications than it is for the Chief Executive Officer of this Government to place all of the postal employees in the classified service without examination?

Mr. SIMS. Why, Mr. Chairman, if the President has acted within the law, he has acted within his right and duty, and I have no criticism of that; but, I want to say, this Congress made the civil-service law. Congress created every provision in it. Can not Congress repeal it absolutely, or modify or amend? And this expression of Congress, placing a certain body of ladies and gentlemen, whose qualifications were well known, under the provisions of that act is, it seems to me, as much within the power of Congress as was the passage of the original act itself.

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. SIMS. Certainly.

Mr. CRUMPACKER. I understand the gentleman to be a lawyer, and a good one. Has the gentleman examined the constitutionality of section 5 as it was contained in the bill passed in the House?

Mr. SIMS. I have not, Mr. Chairman; neither can I conceive that there could be a constitutional question involved in it.

Mr. CRUMPACKER. Those clerks were appointed or employed in the Census Bureau by the Director of the Census alone, without the approval of the Secretary of the Interior. The Constitution vests the power of appointment in the President, the judges of the Supreme Court, and the heads of the departments; and I understand it was the judgment of the lawyers on the committee of conference that the original appointment of the clerks

in the Census Office was of doubtful validity, and they thought, as a matter of prudence, it was necessary to have these clerks reappointed by or with the approval of the Secretary of the Interior, and that explains why this change was made in conference.

Mr. SIMS. Now, Mr. Chairman, I have had that suggestion made to me before, but not, however, any more forcibly or clearly than the gentleman from Indiana has made it.

If the question had come up that every appointee in that office was not in fact an appointee, because his appointment had been made in violation of the Constitution, why, then, there would be some reason for adding a section or offering an amendment which would legalize their appointment; but section 5 in the bill has no reference to the manner of the appointment. It simply designates a certain class of persons, called clerks, in the Census Office to be placed under the civil-service law; and I ask the gentleman from Indiana if this Congress has not the power to place certain persons, either by name or as a class, under the provisions of the civil-service law who never were clerks and never took an examination?

Mr. CRUMPACKER. It might have the power, but it was not the purpose of the House. The House passed the bill with the understanding that these clerks had been legally appointed. There is no question about that; and the conferees, on a careful and critical examination of the question, thought it was one of doubtful constitutionality, and to save any question that provision was included in the conference report, with the understanding, of course, that the clerks were all to be reappointed.

Mr. SIMS. If I understand the gentleman from Indiana, the conferees were intending to provide for a legal appointment, in view of certain constitutional troubles which had been discovered by themselves?

Mr. CRUMPACKER. Yes.

Mr. SIMS. And they also provided that when so appointed they should be subject to the civil-service law?

Mr. CRUMPACKER. Yes.

Mr. SIMS. Therefore it left it entirely discretionary with the Director of the Census or the Secretary of the Interior as to who should become subject to the civil-service law, whereas this House had said that all of them should be subject to it.

Mr. CRUMPACKER. The theory of the conferees, on an investigation of the matter, was that it was necessary to reappoint all of these clerks in order that their pay might be legal and the accounts of the Director of the Census might be properly audited. They thought some question might arise as to the validity of his expenditure of the appropriation, and it was to cover that question that the conferees, I am informed, made the report.

Now, I was not one of the conferees. I knew nothing about the change in section 5 until I saw the bill after the conference report had been concurred in by both Houses, and I confess I was as much surprised as the gentleman or anybody else, but I can not believe that the conferees attempted to deceive the House in making that report.

Mr. SIMS. I have not made that statement. I do not make it. I want to ask the gentleman from Indiana, who is a fair man, an able lawyer, and a worthy member of this House, if it was not the solemn duty of these conferees in making their statement, both written and orally, to make it so clear and explicit that no one could fail to understand it.

Mr. CRUMPACKER. It was; and the statement made by the conferees and read in the House contains the substance of section 5 as it was agreed upon. It was read by the Clerk of the House, and it was known that the report was going to be made that day, and no question was asked in regard to it. The RECORD shows that it was read.

Mr. SIMS. And why? Because the chairman said that the bill was substantially as it passed this House. Does the gentleman contend that it is substantially as it passed this House?

Mr. CRUMPACKER. The chairman believed it to be.

Mr. SIMS. I am asking the gentleman the fact about it.

Mr. CRUMPACKER. An interpretation was afterwards placed upon it which was not contemplated or expected by any member of the conference committee from either House. That originated in another quarter. [Laughter.]

Mr. SNOOK. I want to ask the gentleman from Indiana this question: Do I understand the gentleman to say that his idea was that the conferees thought that all of these employees in the Census Office would be reappointed immediately upon the passage of this bill?

Mr. CRUMPACKER. That was the earnest and sincere belief of the conferees, and was the purpose and intention of the Director; and I know personally he had a list made up of every employee of the office ready to be sent at once to the Secretary's office for approval as soon as the bill was signed by the President.

Mr. SNOOK. I call the gentleman's attention to the language of the section, in which it says they "may" be appointed by the Director. Does the gentleman think that the idea of the con-

ferees was that that would make it the duty of the Director to appoint?

Mr. CRUMPACKER. That form is frequently employed even in mandatory provisions. It is usual to use the term "may," and where it is used it is often construed to be mandatory, and it was doubtless intended to be as to this provision.

Mr. SIMS. Now I yield to my colleague to ask a question.

Mr. GAINES of Tennessee. The gentleman from Indiana stated that the conference report was read. Does the RECORD show it was read?

Mr. CRUMPACKER. The statement was read.

Mr. SIMS. The RECORD shows that the report was not read, upon the request of the chairman that the statement be read.

Mr. CRUMPACKER. The statement was read.

Mr. GAINES of Tennessee. Now, the statement was made that the bill was substantially as reported to the House and as it passed from the House. Is that correct?

Mr. CRUMPACKER. Yes.

Mr. GAINES of Tennessee. The gentleman just now asked my colleague what is the duty of a chairman in reporting a bill to the House.

Mr. SIMS. This is a conference report.

Mr. GAINES of Tennessee. A report of a committee of conference is just the same. Such committee has a chairman—a mouthpiece. That question was raised and answered in the United States Senate by the late Senator Sherman, and he said it was the duty—and the Senate agreed—of the chairman and as chairman in reporting a bill to explain the bill—what it meant section by section—and he was right.

Mr. CRUMPACKER. There is no question of that kind about this.

Mr. GAINES of Tennessee. That was not done in this case.

Mr. CRUMPACKER. The rules of the House require that the conferees shall submit a written statement, showing what changes have been made in the bill. That statement was submitted, was read in full, and showed exactly what changes had been made in this section 5. The RECORD shows that.

Mr. SIMS. Now let me reply to that, while it is fresh. The report shows that section 5 had been stricken out, which was the fact, and had the statement shown that, we could blame ourselves for sleeping while it was read; but the statement does not show that section 5 was stricken out. The statement shows that the bill is substantially as it passed the House.

Mr. TALBERT. In view of all this uncertainty, ambiguity, and difference of opinion, does not the gentleman think that the best way out of the hole is to have a committee appointed to investigate the whole matter, so that all parties concerned can have a hearing, and make a report to this House, so that some proceedings might be taken?

Mr. SIMS. I can not make that motion now. I propose only to discuss the facts and try to have the House understand them, as well as to get a little information.

Mr. MANN. What is the difference in effect upon the future transfer of these clerks of the Census Office to other departments between the bill as it has become law and the bill as it passed this House?

Mr. SIMS. Why, the difference is this: If the bill had become law as it passed the House and went to the Senate and passed the Senate, and had become law without the changes made in the conference report, every employee of the Census Office on the signing or approval of the bill would be in office or in the classified service subject to transfer.

Mr. MANN. Subject to transfer by the head of the executive department of the Government.

Mr. SIMS. At the request of the heads of the departments.

Mr. MANN. But not subject to transfer to the extent to make them all transferred?

Mr. SIMS. Subject to transfer; but by virtue of this if the head of the department can not call for one of them they are out.

Mr. MANN. In the one case the President must consent to the transfers being made first, and in the other case he must consent to their being reappointed first. The power is left under the control of the President in either case.

Mr. SIMS. That is your statement.

Mr. MANN. Is not that the fact?

Mr. SIMS. Now, I want to discuss another matter before it gets out of my mind.

The gentleman from Indiana [Mr. CRUMPACKER] has stated, and has given reasons for it, that the whole force in the Census Office below the Director himself was illegally appointed, and that in order for them to be legally appointed they must be reappointed; and in order to be reappointed was the excuse for striking out the section and putting in a new one. That bill has been the law since the 6th of March and this is the 12th. Have you heard of a single employee in the Census Office being reappointed?

Mr. CRUMPACKER. Now, just a word in answer to that question. Immediately on the passage, or soon after the passage, of the act of March 3, 1899, the question of the validity of the appointment of the Director of the Census alone was submitted to the Attorney-General, and the Attorney-General decided that appointments made by the Director alone were valid, inasmuch as the control of the Secretary of the Interior over that Bureau was purely nominal and technical; and he gave quite an extensive opinion on the subject, and it is published in his published official opinions, but the Attorney-General did not discuss the constitutional question.

That was raised, I understand, by the conferees on the part of the Senate. It was regarded as a serious question, and it was thought necessary to reappoint; but now you have the views of two tribunals, of two functionaries. The Attorney-General has said that the appointments by the Director of the Census are valid, and the conferees of the Senate and House have stated that there is a question about their validity; and in the statement which was read they cite two decisions of the Supreme Court of the United States holding that appointment of officers by anyone but the heads of departments is invalid. Now, the Director of the Census is going on under the opinion of the Attorney-General rendered something like three years ago. There have been no reappointments, and the present order states that there shall be none until the 1st day of July of this year.

Mr. SIMS. The whole question at issue is that we can not by law pass these clerks under the provisions of the civil-service law because they have not been appointed as the conference committee think they ought to be appointed.

Mr. CRUMPACKER. I think the power of Congress to do that was not up, but it was one of propriety. Doubtless it occurred to the minds of the conferees as a peculiar exercise of the legislative power, to take a body of men who were not in the employment of the Government, who had not passed the civil-service examination, and say that they should be eligible to transfer. They have the power to do it, I concede, but it would be an unusual exercise of legislative power to incorporate any such force that was not legally in the service of the Government and had not passed the civil-service examination.

Mr. SIMS. Does the gentleman want to surrender the judgment of the House to a conference committee to make changes and then make no reference to them in their report?

Mr. CRUMPACKER. The conferees reported to the House, and they complied with the rules and custom of the House in supplying information. They brought in a report and a written statement. The report was not read by unanimous consent, but the statement was read, and there was a full compliance with the rules of the House.

Mr. SIMS. I want to ask the gentleman another question, because he always answers candidly: Could you, or did you, from the reading of the written statement, think for one moment that section 5 of the House and Senate bill had been stricken out?

Mr. CRUMPACKER. I confess I did not.

Mr. SIMS. Then, how could the gentleman have been informed by the statement of the conferees, and was not the House justified for any dereliction or lack of duty?

Mr. CRUMPACKER. The gentleman from Tennessee must bear in mind that the statement complies with the rules and custom of the House, and if there is any fault at all it was the fault of the usage and custom of the House in transacting its business.

Mr. SIMS. Does the gentleman contend that this conference report is substantially what the House passed? Why, he knows he does not for a moment. The statement that it did substantially contain it was a misstatement. I want to say for one of the conferees, the gentleman from Indiana, Mr. GRIFFITH, whom I know very well, and who is a friend of mine and I am a friend of his, that I believe him incapable of doing anything wrong.

Mr. KLUTTZ. And I want to say the same thing for the gentleman from Illinois, one of the conferees, Mr. HOPKINS, and also for the gentleman from Connecticut, Mr. RUSSELL.

Mr. SIMS. I am not so well acquainted with them as I am with the gentleman from Indiana, but I hope some explanation can be given that will be satisfactory to the House, and I do hope that the discussion here upon this bill will forever prevent this kind of a conference report being again made to the House. We know the whole country was stirred from center to circumference about the demonetization of silver in 1873 by means of a conference report. It was hoped that that report would never have a successor.

Mr. CRUMPACKER. Does the gentleman think this came in in gum shoes and walked through like a cat? [Laughter.] Let me ask the gentleman whether he has read the statement in relation to section 5.

Mr. SIMS. I read it right here in the course of my remarks.

Mr. CRUMPACKER. That statement seems to be a quite full explanation of the change that was made in section 5 as it passed the House.

Mr. SIMS. Well, that has all been gone over, and I do not think it worth while to go over it again.

Now, I want to conclude these remarks, which have probably not been very entertaining; and there may be others who want to say something. I am the last man in this House who would seek to cast any insinuation upon any member. I presume that all members are as good as I am, and many may be better, but I do think it is the duty of somebody to call the attention of the House to what I consider was a flagrant violation of the rules, which has led to a misunderstanding and the passage of a bill in a form in which I do not believe this House, if it understood the effect of its action, would have passed.

Mr. KLUTTZ. Will the gentleman allow me a question?

Mr. SIMS. Certainly.

Mr. KLUTTZ. Presuming the gentleman, as a lawyer, has examined this case, I wish to ask him whether in his opinion it would not have been entirely possible for the President of the United States to have effectuated the known and expressed desire of the House under the amendment as made by the conference committee, as well as under the original section?

Mr. SIMS. I am not talking for the President. I am not his keeper by a great deal. But if the Director of the Census had been reappointed, with the approval of the Secretary of the Interior, every clerk in the Bureau, they would have come under the provisions of the act as passed, because they would have been appointed after the passage of the act, with the approval of the Secretary of the Interior. But the President saw proper in signing the bill to write a letter to the Secretary of the Interior, which I hold in my hand and will now read.

Mr. KLUTTZ. One more question: Does the gentleman think that the conferees could have foreseen this unexpected action of the President?

Mr. SIMS. Mr. Chairman, the conferees had nothing to do with that. They had to deal alone with the disagreeing votes of the two Houses upon the amendments of the Senate; and what we wanted to know was what action had been taken, in order that we might act intelligently; and that we did not find out from the conference committee.

Mr. GRIFFITH. If the gentleman will yield, I wish to ask a question, prefacing it with this statement: In view of three decisions of the Supreme Court of the United States, section 5, as it passed the House, would have been totally inoperative, and by the same decisions, section 5, as passed by the Senate, would also have been inoperative. In view of that fact, what was the duty of the conferees? Was it not their duty to perfect that section so as to reflect just what was the legislative will—the intent of both the House and the Senate; and is it not the construction that has been placed upon the section, not by the Supreme Court, but by the President of the United States, that has brought about this discussion? If such a construction had not been placed upon this measure by the President, and the question had afterwards been raised in the courts, would not the conferees have been considered at fault for not having perfected the measure?

I take it that it was the duty of the conferees to frame the section in such a way as to carry out the will of both legislative bodies. The conferees on the part of the House and the conferees on the part of the Senate were equally anxious to provide for the clerks in that bureau; and they thought they were doing so by the action that they proposed.

While on the floor let me take occasion to say that it was far from my intention, as I believe it was far from everybody else's intention, to purposely deceive or mislead the House. If the bill, including section 5 as originally passed by the House or Senate, the President would have signed the measure, but he and the Secretary of the Interior would have disregarded section 5, and the employees would have been in much worse condition than at present. The trouble arises from a construction given to the law by the President, which is clearly in violation of the legislative intention, as was well known by the President.

Mr. SIMS. Mr. Chairman, in answer to the very long question of the gentleman—and I am not complaining of its length, for I was glad to yield to him all the time he wanted—there is no man in the House for whom I have a higher regard—let me say, in the first place, I can not see how the decision of the Supreme Court which the gentleman has referred to can have any effect whatever on section 5. That section provided for the transfer into the civil service—it proposed to place under the protection of the law—certain persons designated. That provision had nothing in the world to do with the question who was to appoint them, and when they were to be appointed. And another part of the section says the same law shall apply to new appointments and has nothing to do with who makes the appointments, while the decision of the Supreme Court referred to deals with the question as to who of the officers makes the appointment, and has nothing whatever to do with the application of the civil-service law, which was the object and purpose of Congress.

Now, to the other question, have we as legislators or did that committee have the right or contemplate that they would make a law which, by the circuitous outside aid of other officers, would carry out the will of Congress, or did we have the right to carry out our own will in our own way by our own provision?

Mr. GAINES of Tennessee. Do you think the House was deceived?

Mr. SIMS. Oh, I notice the language of the gentlemen. I will not use the word "deceive" in the sense of willfulness, but I say the House was misled and deceived in voting for something they did not know they were voting for, and the statement of the conference committee ought to have shown it, so that there would be no mistake about it. The gentleman from Indiana [Mr. CRUMPACKER] says he personally knows, and therefore puts it beyond doubt or cavil, that the Director of the Census was making up a list of all these employees, that they were going to be appointed with the approval of the Secretary of the Interior, and that the word "may" was a mandate.

I am surprised to hear the gentleman say that the word "may" when it is used merely in a permissible sense is a mandate. That section says that the employees of the Census Office of the present force may be appointed upon the approval of the Secretary of the Interior, and that when so appointed they then become subject to civil service.

Now, then, to the other question or criticism indirectly made by some gentlemen. The Director of the Census, in order to please Congressmen—and I did not know that they had exacted any promise from him or that he has made us any—makes up a list of those to be appointed, and the Attorney-General of the United States construed the law; and certainly no member of this House will for a moment controvert that that was a correct construction. The section is absolutely clear so far as the appointees not being covered by civil-service law by the passage of the act. The President writes this letter addressed to the Secretary of Interior, which I will now read:

WHITE HOUSE, Washington, March 6, 1902.

SIR: I have signed the act providing for a permanent Census Bureau. Section 2 of this act provides that the work pertaining to the Twelfth Census shall be carried on by the Census Office under the existing organization until the 1st day of July, when the permanent Census Office herein provided for shall be organized by the Director of the Census. Section 5 provides that with your approval the Director of the Census may appoint into the permanent census force in two ways.

You see—the President took the plain view and the only view you can take of it, that section 5 had reference to the appointment into the permanent census force, and provides how that may be done, in the first place, from the present employees of the Census Office; and the Attorney-General and the President certainly very correctly construed the act, that it had no reference whatever to covering the present employees into the civil service. I will continue with the letter:

In the first place, from the present employees of the Census Office, and in the second place, all new appointments to be made in accordance with the civil-service law. After any of the present employees of the Census Office have been appointed upon the permanent force they become part of the classified service.

I have been over these two sections with the Attorney-General, and their construction seems to be perfectly clear. You will please inform the Director of the Census that his office will continue to be administered as it has been administered until the 1st of July. On that day he will, with your permission, appoint such members of the present force under him as will constitute the permanent census force, appointing only so many as are to be permanently employed. After that date all appointments will be made under the regulations of the civil-service act.

Very truly, yours,

THEODORE ROOSEVELT.

Hon. E. A. HITCHCOCK, *Secretary of the Interior.*

Now, the construction of the President and the Attorney-General of the intention of Congress was given on the face of the act; and I want to see the member in this House that will controvert for a moment that they gave it the correct construction. I would like to know if Congress can not, upon the face of its own act, make known to the President what it intended to do; or shall he go on the outside? Shall he be compelled, by an indirect method, to determine what Congress wanted to do? The criticism of the President in this case, if it should be called one, goes to the effect that he did not come to the help of this body, who did not know how to do what they wanted to do by direction, and enable us to accomplish its purpose by indirection.

Mr. MANN. Will the gentleman yield for a question?

Mr. SIMS. Why, certainly.

Mr. MANN. I suppose the gentleman will readily admit that, under the bill as it became a law, the President had the power to have all of these clerks covered into the classified service by reappointment.

Mr. SIMS. Mr. Chairman, I do not understand that the President was called upon to make reappointments.

Mr. MANN. No; the President was not called upon, but the Director of the Census practically was, and it was by direction of the President that he was instructed not to do it, as I understand it.

Mr. SIMS. Why, Mr. Chairman, he is not instructed not to appoint. He is instructed to appoint, from the present force, the permanent employees only.

Mr. MANN. But he is instructed not to reappoint and cover into the classified service any clerks before the 1st of July or any clerks that are not needed in the permanent Census.

Mr. SIMS. He does not use the word "not," but he says after that appointments shall be made according to the civil-service act.

Mr. MANN. Is it the gentleman's construction of that letter that the Director of the Census or the Secretary of the Interior will still make appointments?

Mr. SIMS. I have no information; but my opinion is that the President was appealed to to save Congress in this dilemma, and he would not do it.

Mr. MANN. Would it not have had the same effect—I should like to have the gentleman's opinion, because he has studied this question—if the law had remained as it passed the House and the President had then written a letter, addressed to the various Secretaries under him, suggesting to them that they ask for no transfers from the classified service in the Census Bureau? Would they have complied?

Mr. SIMS. Why, Mr. Chairman, I will not dare to presume that the President of the United States would be guilty of so high-handed, so imperialistic, so czar-like an act as that.

Mr. MANN. The President has the appointing power. There is no czar-like act about it at all. He is the one who is responsible for appointments, and as I warned the House when the census bill was being considered here, in view of his attitude upon civil-service reform, he would not permit these clerks to be covered into the classified service for the purpose of having them transferred; and if the bill had passed Congress as it passed the House, I have no doubt that the President would have suggested to the Secretaries under him that these clerks be not transferred.

Mr. SIMS. He would not have had the letter of the law behind him in that case, and I do not believe that the President would deal with a matter of that kind so indirectly; and if we had passed the law as we intended to pass it, and the President had objected to it, I think he has the boldness to have vetoed it, instead of signing it and then directing his Cabinet officers not to call for transfers. I do not believe he would have signed and approved an act and then nullified it by orders to his subordinates. That is a thing of which I can not believe he would be guilty.

Mr. MANN. Transfers are like kissing; they go by favor. There is no legal right for a transfer from one place to another. Transfers must be called for before they can be made.

Mr. SIMS. But the gentleman says, could not the President have instructed the heads of departments not to have called for transfers?

Mr. MANN. Yes; and is not that practically what he has done now?

Mr. SIMS. Will the gentleman say he has any idea that the President would have done such a thing?

Mr. MANN. I never had the slightest doubt about it. I so stated before the House when the bill was under consideration here.

Mr. SIMS. I do not believe that the President of the United States will ever undertake in an indirect manner to nullify a law of Congress.

Mr. MANN. No; but when Congress undertakes in an indirect manner to force the President to permit transfers which he does not wish to make he has the power to decline, and he would have declined.

Mr. SIMS. Does the gentleman call this section 5 in the bill an indirect method?

Mr. MANN. An indirect method of making appointments, certainly. It covers people into the classified service for what? Not to keep them in the service in the departments in which they were; not for the purpose of keeping them in the Census Bureau; not for the purpose of keeping them at the work that they were then doing, but for the purpose of permitting them to be transferred to the Post-Office Department, to the War Department, to the Navy Department, to country post-offices or city post-offices, in an indirect method of appointment which Congress had no power to make.

Mr. SIMS. That is a question of judgment. I do not call it an indirect method, but most direct and specific.

Mr. MANN. You admit he could do it.

Mr. SIMS. And do it openly, and not go behind the bush to do it.

Mr. MANN. It is the Executive who makes the transfer, and not Congress, and yet Congress had the power to do it directly; but Congress can not compel the President to do it; and in this case I think he is determined, and he has the power, to stand by the civil service and refuse to make the transfer.

Mr. SIMS. I want to say this once for all as to that matter. I do not believe the President would have done anything of the

kind. If we had passed the bill as it had passed the House and Senate before it was sent to conference, if he did not like the bill he would have vetoed it. There is no question as to the power to do what he has done, and no question even as to the propriety.

Mr. MANN. The suggestion that I want to get to the mind of my friend from Tennessee is this: I have no doubt that the conferees in making the report in this case knew that in either case the power lay with the President—that in one case he could clothe it in this kind of a letter, and in the other case he could clothe it in another sort of a letter just as easily written as this was, and that it left the matter so that the President could or could not, as he pleased, make the transfers.

Mr. SIMS. I am not discussing the possibilities. I am talking about what was done in this House. All who are acquainted with the facts know that if the House had known the change in section 5 had been made so as to strike it out that the bill could not have been passed.

Mr. MANN. The gentleman from Illinois probably thought there was something else in the Census Bureau besides a few clerks to be transferred.

Mr. SIMS. I have not the least question as to that. That is not the question. The question for this House is that of the method by which the section was changed in the conference report, and which was accepted without time to examine it, without any previous print of it, that we ought to have had the very fullest information possible, and that the conference committee should have fully stated the changes to the House, and any failure to discharge that duty fully is a matter of the gravest consequence and importance in legislation.

I thank the committee for its long indulgence. I have nothing further to say. [Loud applause.]

Mr. GARDNER of New Jersey. Mr. Chairman, it seems to me that a word ought to be said at this time in behalf of the conference committee. I do not think it is fair that gentlemen should give way to excitement about this matter. Members can not afford to exculpate themselves from the effects of inexcusable oversight or neglect by attacking the committee of conference. The whole question involved here is a simple one, to wit, Are the employees of the Census Office, above the grade of laborer, "officers" within the meaning of the Constitution? We all ought to have known that before now.

I take it that almost every man upon the floor, certainly every lawyer upon the floor, who had occasion to look into the validity of various appointments when the Spanish-American war broke out, knew that if these employees were "officers" there was not one of them who had been legally appointed if he had not been appointed by the head of a Department. Every one of us ought to have known that; ought to have known that the constitutional question, and the whole question involved, was, Are these employees "officers?" Well, it has been held by the Senate committee and conference committee that they are.

Mr. Chairman, I remember distinctly that when the chairman of the conference committee brought in the report and it was read it clearly stated that section 5 had been changed to bring it within the decisions of the Supreme Court holding that these appointments must be made by the head of a department. The gentleman who says that he wanted a fuller statement than that says that he wanted kindergarten information. If that change was made to bring it within this decision, it was on the ground that these employees were "officers," and as "officers" they must be appointed by the head of a department. It followed that every one of them in order to be legally employed must be reappointed.

If this House has been buncoed, it buncoed itself when it sent this bill to the Senate with section 5 in it. If you had made it to apply to the persons at work in the Census at a particular day, you would have got in the bill what you intended. If you had provided that the persons who had performed certain duties in the Census Office a given length of time, or in a score of other forms of phraseology, you would have expressed your meaning; but the section went out of here limited to the employees of the Census Office, and if they were not legal employees of the Census Office they were not really employees, and your section accomplished nothing.

Now, in the report of the conferees they say that the change was made to bring these appointments within the Constitution, as interpreted by the courts. You knew, then, and everybody else knew, that they all had to be reappointed, and we were not deceived about that. Why, the clerks in the Census Office understood it. Clerks that never studied law understood it. That section was copied from the Evening Star of the day it passed the Senate and brought up here to members, and the clerks not learned in the law pointed out that they would all have to be reappointed to come under the bill. If we were deceived about it, it was either because we were negligent, willfully blind, or had less intelligence than the girls in the Census Office on a matter

of interpretation. The difficulty arose when? When the President issued an order to the Secretary of the Interior.

Mr. Chairman, gentlemen ought not to complain here and anathematize the committee of conference about that. The House passed a bad section under the Constitution without paying attention enough to the section to raise the question. If any committee is culpable, it is not for what was done in conference and the report, but in reporting the original section in that form. That is what you should criticize them for if you criticize them at all. But finding themselves in the conference in a dilemma, as the Senate committee believed and they came to believe; finding that there was not a single legal appointee in the Census Office and that that section applied to a blank, the question was, if possible, to cover the matter in a legal way without exploiting it.

The conference report is full enough and it did cover it, and the conference committee, in my judgment, were honest enough about it, and informed the House fully enough if we were carrying our intelligence around with us. Now, we suddenly arise to criticize the committee because the President has issued an order to the Secretary of the Interior. Well, you have gained something by the committee of conference's correction of the bill of the House, whoever is primarily responsible for that blundering, bungling section. You will get the permanent force of the Census Office after the 1st of July taken from your census clerks. Under your section you would have been entitled to nothing. That much you owe to the conference committee.

In conclusion, Mr. Chairman, in justification of the committee of conference, I simply want to repeat that when they stated to this House that it had been concluded that these clerks must be appointed by the head of a department, that was full notice to every one of us that there was not a clerk down there legally appointed. That carried with it the information that every one of them must be reappointed, and they provided that the Director of the Census might reappoint them, knowing, I might add, that he had the disposition to do so.

The committee of conference is not responsible for the Executive order. That is a matter unforeseen alike by them and by you. But do not any longer blame the committee of conference. Blame the Census Committee, if you will, for bringing in that ineffectual section; criticize the authority that issued the order, if you will; criticize this House for passing that section without observing that it accomplished nothing whatever, but do not criticize any more the committee of conference, who give you everything you got under this bill, when under your own you would have got nothing.

Mr. SIMS. Will the gentleman allow me a question?

Mr. GARDNER of New Jersey. Yes.

Mr. SIMS. In view of your judgment of the law, these gentlemen down there, employees, are in there without authority, as they have not been reappointed.

Mr. GARDNER of New Jersey. I say the whole question is involved in the other question, whether they are officers or not. That is the question for you to discuss.

Mr. SIMS. But, in your judgment, that is the fact?

Mr. GARDNER of New Jersey. Yes. If you want to criticize, raise the point that they are not officers and not within the Constitution, and then you have something to discuss. My judgment is, however, that they do come within the constitutional provision for "minor offices." But that is a matter of judgment. If you have got any grounds on which to attack anybody, it is upon the question whether they are officers or not. If they are not, this fifth section was unnecessary, the whole proceeding was unnecessary and misleading. If they are, the original section in the bill is bad. I have nothing more to say, Mr. Chairman, except that hereafter gentlemen should criticize those who have merited their criticism, whether the Census Committee or themselves, and not the committee of conference.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 10, 1902:

H. R. 2678. An act to incorporate the Eastern Star Home for the District of Columbia; and

H. R. 8581. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1903, and for other purposes.

On March 11, 1902:

H. R. 4748. An act authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list;

H. R. 8336. An act to amend section 3 of chapter 480 of the laws of the United States approved June 23, 1874;

H. R. 7933. An act providing for the communication for town-site purposes of homestead entries in certain portions of Oklahoma;
 H. R. 5106. An act for the relief of Rasmussen & Strehlow;
 H. R. 969. An act granting an increase of pension to Silas H. Cronk;
 H. R. 1280. An act granting a pension to Lizzie A. Campbell;
 H. R. 8620. An act granting a pension to Thomas Hall;
 H. R. 2561. An act granting a pension to Sarah O. Fields;
 H. R. 7623. An act granting a pension to Aaron M. Applegate;
 H. R. 668. An act granting an increase of pension to Henry N. Tracy;
 H. R. 1808. An act granting an increase of pension to William M. Strode;
 H. R. 1852. An act granting an increase of pension to James A. Edmonds;
 H. R. 2219. An act granting an increase of pension to Francis M. Gilman;
 H. R. 2225. An act granting an increase of pension to James Morris;
 H. R. 2465. An act granting an increase of pension to James F. Charlesworth;
 H. R. 3412. An act granting an increase of pension to William H. Pierce;
 H. R. 3422. An act granting an increase of pension to James D. Elderkin;
 H. R. 3688. An act granting an increase of pension to John Gagan;
 H. R. 4115. An act granting an increase of pension to William Engas;
 H. R. 5218. An act granting an increase of pension to Joel Metz;
 H. R. 5957. An act granting an increase of pension to Wright H. Auchmoody;
 H. R. 5957. An act granting an increase of pension to Francis Pearson, alias James F. Pearson.
 H. R. 7237. An act granting an increase of pension to Eva H. McColley;
 H. R. 8304. An act granting an increase of pension to Angeline Murray;
 H. R. 8306. An act granting an increase of pension to Thomas W. Robinson;
 H. R. 9670. An act granting an increase of pension to Aaron C. Badger;
 H. R. 1939. An act granting an increase of pension to Penrose W. Reagan;
 H. R. 5863. An act granting an increase of pension to Benjamin Brittingham;
 H. R. 1796. An act granting an increase of pension to Hiram Cronk; and
 H. R. 202. An act to amend section 2294 of the Revised Statutes of the United States.
 On March 11, 1902:
 H. R. 11611. An act to divide the State of Texas into four judicial districts; and
 H. R. 3830. An act for the relief of William C. Marr.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. COWHERD. Mr. Chairman, I desire to be recognized in my own right, as a member of the committee, for one hour.

The CHAIRMAN. The gentleman from Missouri is recognized for one hour.

Mr. COWHERD. I now desire to yield to my colleague, Mr. DOUGHERTY, for twenty minutes.

Mr. DOUGHERTY. Mr. Chairman, I appreciate the favor which is conferred upon me by my colleague, and I shall not abuse this opportunity by consuming any great length of time; perhaps not so much as has been allowed me, knowing, as I do, that there are others who desire to be heard on this occasion.

I desire, Mr. Chairman, to address myself quite briefly to a portion of the bill that is under consideration, that part of it which relates to the rural free-delivery service.

I would feel that I had been derelict of my duty to that honorable constituency whom I am commissioned to represent on this floor if I failed to employ every opportunity that comes to me and what little influence I may exert to promote the cause of rural free delivery.

I take no mean degree of pride in the fact that for the major part I represent here a rural constituency, and right well may I be proud of the honor of representing such a district, where the wealth is not aggregated in the hands of a few, but is comparatively well distributed; where, in proportion to population, as many citizens own their own homes and till their own soil, and where the general intelligence has attained as high an average as in any other district in the Union.

There the fertility of the soil is not surpassed by any other on the habitable globe; there the orchard and the vine yield prodig-

iously, and the clover that carpets the earth vies with the sweet-scented meadows to burden the summer air with delightful perfume. Its vast fields of waving corn reflect back the sunshine, while the wheat locks it in its bearded sheaf. Upon its hills great herds of live stock grow fat in pastures of succulent blue grass, from which specimens are annually selected which prove prize winners in open competition with the world. And the fame of the Missouri horse and mule is not circumscribed by the boundaries of this continent, for they have done cavalry and artillery service in Europe, Asia, and Africa.

The incident is doubtless fresh in the memory of all of certain mules which, upon a time, drew the artillery of the British forces in South Africa, and, breaking away from the British and dragging the cannon with them, ran precipitately into the Boer ranks. Those were Missouri mules.

The poet doubtless had Missouri in contemplation when he described—

A later Eden, planted in the wilds,
 With not an inch of earth within its bounds
 But if a slave's foot press it makes him free.
 Here, it is written, toil shall have its wage,
 And honor honor, and the humblest man
 Stand level with the highest in the law.
 Of such a land have men in dungeons dreamed,
 And, with the vision brightening in their eyes,
 Gone smiling to the faggot and the sword.

With such environments, so conducive to good citizenship and love of country, it follows logically that this great Commonwealth in the matter of high ideals, lofty patriotism, and devotion to the Federal Constitution should by precept and example teach the older States the lessons of their better days. And, sir, from such associations even the Missouri mule imbibes that spirit of courage and love of freedom and independence which moves even him, upon occasion, to swiftly fly to the side of any people, wherever found on this earth, who seek to light the torch of liberty at the fires that glow upon the altars of our American free institutions. [Applause.]

I therefore could not be otherwise than proud of the district which I have the honor to represent, and advocate with enthusiasm this measure, which contributes so materially to their welfare and comfort. And I will very cheerfully vote for a sufficient appropriation to organize, establish, and maintain the most efficient rural-delivery service.

I may also say at this time that I feel, in common with all others here, great interest and corresponding pride in the general excellence and efficiency of the Post-Office Department. It is with this Department that the people, perhaps, come in more frequent and direct contact than any other branch of the public service, and in the nature of the case it should be in fact, as it is held to be in theory, altogether nonpartisan in its management.

It was therefore with great regret that I witnessed the recent defeat, by the Republican majority of this House, of the following proposed amendment to the bill then pending:

Any carrier in the free-delivery service who shall use his official position to promote the interest of any political party or candidate for office shall, upon proof of such fact, be dismissed from the service.

The spirit of that proposed amendment should be the law governing all the employees in the Post-Office Department and in every division thereof, and in the interest of good service it should be strictly enforced.

But it is the rural free-delivery service to which I desire more specifically to address my remarks.

In his last annual message to Congress President McKinley characterized the rural free-delivery service as the "most striking new development in the continued and rapid growth of the postal service." In this department of the postal service there has been no backward movement, but its extension has kept pace with the energy put forth and the appropriations made by Congress for its introduction and maintenance.

According to the last annual report of the First Assistant Postmaster-General, the origin and progressive development of the service may be epitomized as follows:

Fiscal year.	Appropriation.	Services in operation.	Fiscal year.	Appropriation.	Services in operation.
1894	\$10,000	(*)	1898	\$50,000	148
1895	10,000	(*)	1899	150,000	391
1896	10,000	(*)	1900	450,000	1,276
1897	40,000	44	1901	1,750,000	4,301

* Not used.

The last Congress appropriated \$3,500,000 for the maintenance and extension of rural free delivery for the fiscal year ending June 30, 1902, and it is estimated that by the end of that time there will be in successful operation more than 8,600 routes.

It is further reported that every State in the Union, except

Montana, a mountainous State with few rural settlements, is represented in this aggregation of services, and every Territory, except New Mexico, where two applications for rural free delivery are under investigation, and Hawaii, which is too new an acquisition to be considered in this connection. Even in our most northern territory of Alaska, within a short distance of the Arctic circle, an exceptional rural service was operated during the past summer between Nome and Gold River for the accommodation of thousands of miners congregated in that vicinity.

With the appropriation of \$7,529,400 for rural delivery which this bill carries for the ensuing fiscal year, there should be thousands of new routes established and put in operation, and at the same time, to a large extent, the service should be revised and better systematized.

This is not the time or place to begin the enforcement of too strict economy. The great desideratum should be a sufficient appropriation, and no more and no less. We should be liberal, but not extravagant; economical, but not parsimonious.

While I am disposed to think that the city carriers are not overpaid, I am convinced that the rural carriers are yet underpaid. It must be remembered that the rural carrier is a sort of traveling postmaster. He is required to carry and sell stamps, receipt for money for money orders, registered letters, and do many other things which, perhaps, the other carriers are not required to do. The distances he has to travel varies from 15 to 30 miles and over the dirt roads of the country and not on paved streets. He must furnish his own team and conveyance and feed and keep the same in repair at his own expense.

Great circumspection should be exercised in the matter of selecting suitable able-bodied persons to do the service promptly and with dispatch, in all kinds of weather, if the service is to be acceptable and efficient. And when you deduct the necessary expenses from the gross salary of \$50 per month, there is but a pittance left the rural carrier for his net salary.

The farmers of this whole country are entitled to have the best free-delivery service attainable. They are entitled to have delivered at their doors every day the market reports and the daily press; they are entitled to have, on the easiest terms, that literature placed in the hands of their sons and daughters which is calculated to make them intellectual, moral, and patriotic men and women.

Do they deserve it? Sir, I but speak the simple truth when I say that it is this class of our citizens upon whom the burden of taxation for governmental expenses falls most heavily and inequitably. And yet they are most prominent among those who make the nation's wealth in time of peace and defend the honor of the flag in time of war.

Whether my term of service here be long or short, yet if I may be privileged by my vote and voice to bear some humble part in the matter of promoting, systematizing, and rendering efficient this rural-delivery service, then with conscious pride I may say, in the language of Othello, "I have done the State some service, and they know it." [Loud applause.]

Mr. DOUGHERTY. Mr. Chairman, I yield back to the gentleman from Missouri [Mr. COWHERD] that portion of his time which I have not consumed.

The CHAIRMAN. Does the gentleman from Missouri [Mr. COWHERD] desire now to occupy further time, or does he reserve his time?

Mr. COWHERD. I understand the gentleman from Michigan [Mr. CORLISS] desires to proceed now. I will resume the floor after he has concluded.

The CHAIRMAN. The gentleman from Michigan [Mr. CORLISS] is recognized for thirty minutes.

Mr. CORLISS. Mr. Chairman, last week the gentleman from Alabama [Mr. RICHARDSON] assumed to question my zeal and conduct by discussing the pending measure with reference to the construction of a Pacific cable before the report of the committee was printed. He seems to forget two important facts. First, that the subject-matter has been under consideration by both branches of Congress for a number of years; secondly, that the majority report was ready, but was withheld for nearly a week at the request of the gentleman from Alabama [Mr. RICHARDSON], who delayed its presentation to the House in order to incorporate the views of the minority, and to attach thereto the proposition of the Commercial Pacific Cable Company filed with the Attorney-General on the 8th day of February last, after the bill had been ordered reported to the House by the committee, and with the evident intention of meeting the effect thereof upon the members of this House.

The gentleman from Alabama does not seem to know that the same proposition was made last November to the President of the United States, with the hope of obtaining permission from the Executive to lay this cable across the Pacific. The gentleman does not seem to know that the President declined to assent to that proposition, because the Commercial Cable Company was unable

to accept without qualification the express conditions that have been heretofore applied to all cables landing upon our shores.

He questions my zeal and seeks to find the motive which prompts such action. He should go back to the records of the Fifty-fifth and Fifty-sixth Congresses and note the efforts made by private interests to secure this great public utility then opposing my measure, and study the scheming methods by which the Commercial Cable interests have been transformed from an active ally of a Government cable in the Fifty-fifth and Fifty-sixth Congresses into a partnership with an English corporation holding exclusive privileges and the monopoly of the cable rights in the Far East.

To illustrate his disinterestedness, he placidly tells us that in his long experience at the bar he has never represented corporations. I am glad he imparted this information, for the zeal and ability with which he championed the cause of the cable monopoly might have led us to think he had been schooled in the arts and ingenuity with which such corporations obtain control of public utilities.

I wonder what motive prompted the gentleman from Alabama to display such zeal as he manifested in his effort to defend this corporation, which, in defiance of the conditions heretofore imposed upon cable companies, seeks to usurp, without permission or authority, one of the most important privileges held by our country.

Why did not the gentleman from Alabama wait until the consideration of this measure had been properly brought before the House? What purpose has the gentleman in mind, or object to attain in rushing to the defense of this corporation?

From my long experience in the practice of the profession to which the gentleman belongs, I am led to believe that there is a motive back of every act in human life, whether in private or official capacity, and I would be glad if the gentleman would enlighten us upon the subject, and explain his own zeal and motive upon this measure.

If I were the only member of this House affected by his untimely assault upon the rights of the people, I might remain silent; but unfortunately the fair fame and noble record of the Democratic leader upon this floor has been unjustly maligned through the zealous defense of this grasping corporation by his namesake from Alabama.

I hold in my hand the leading Democratic paper of Michigan, in which in large headlines the Democratic leader upon this floor is placed in the humiliating attitude of defending a cable monopoly.

There may be little in a name, but when it confounds us with the interests of combines, trusts, and monopolies we may justly pray to be delivered from the blunders of our namesakes and the evils of such association.

But the gentleman from Alabama is not the only one who has volunteered to bolster up the acts of the Commercial Pacific Cable Company. I hold in my hands a circular letter, which has been mailed to the business men all over our country. It is signed by the United States Export Association, F. B. Thurber, president. This sinister old hypocrite appeared before our committee in the Fifty-fifth and Fifty-sixth Congresses in support of a Pacific cable with a Government subsidy, since which time he has changed his clientage. His great interest has prompted me to investigate the association he represents, and I find that the United States Export Association is a corporation under the laws of the State of New York, with a capital of only \$500, barely enough money to pay for office furniture. Its president, Francis B. Thurber, is described as a lawyer; its directors are Thurber, lawyer; Charles H. A. Dougherty, broker, and Erastus N. Root, publisher. They may be justly described as a combination for the circulation of misinformation of a pettifogging shyster, curbstone jobber, and a printing press.

This is not the only trust for whom they have appeared and circulated letters with the hope of deceiving and misleading the business men of our country. Their circular letters are ingenious and misleading, but the influence of such disreputable methods will soon react upon the corporations using such villainous agencies. They may fool some people, but I am glad to note by communications I am constantly receiving that they are not fooling all the people.

The character of this man Thurber and his United States Export Association will become better known when we reach the consideration of the sugar trust and his disreputable conduct in connection with our Government in Cuba.

My friend from Alabama has another associate in the cause of the cable monopoly which I must not overlook—Mr. John Ford, who describes himself as the secretary of the American Asiatic Association of China. He came in company with and in the same saintly demeanor as his companion Thurber, and assumed to speak for a large foreign interest.

They may be just described as the "Devil's Duet" in the garb

of the "Heavenly Twins," seeking to mislead the public and conceal the iniquity of the cable monopoly in its effort to steal the most valuable public franchise now held by our people.

The gentleman from Alabama admits that Great Britain is constructing a government cable down through the Pacific, in order to hold and control for her navy and people the benefit of cable communication with her possessions, but he is mistaken when he says that Great Britain offered the privilege of building this cable to a private company. Let me read for the information of the gentleman and members of the House the report of the committee presented to Parliament in 1899. In the summary of the report, under title of "Ownership," the committee states:

The committee are of opinion that the cable should be owned and worked by the governments interested—

Referring to Canada, Australia, New Zealand, and the other British colonies. Again the committee say:

If government assistance, in some form or other, is necessary, the committee think that a scheme under which the cable would be constructed and owned by the governments interested is much to be preferred to a private company working under a government subsidy.

Does that sound as though Great Britain was willing to give a subsidy for the construction of her cable in the Pacific?

Mr. Chairman, I repeat that Great Britain has purchased, owns, and controls over 20,000 miles of cable in addition to the one now being constructed in the Pacific, and it matters not whether she acquired it by direct government construction or obtained it as she did the Suez Canal, by buying stock of the corporations holding the cables when she desired them for the purpose of protecting her military power and expanding her trade and commerce. What difference can the gentleman find between the government construction and the government purchase, operation, and control of public utilities?

It is stated in the report and in my remarks upon this floor that the Eastern Extension Cable Company claims to hold the exclusive right to lay and operate cables connecting the island of Guam and the Philippines, and the absolute monopoly of cable communication with China.

Let some one hereafter questions this statement, I submit a paragraph from the contract held by the Eastern Extension Company, giving them a monopoly of the cable privileges until 1940, as follows:

First. The concession of an extension for twenty years (which will expire May 8, 1940) of the monopoly enjoyed by the aforesaid company for the working of the Hongkong-Manila cable, until which date no other submarine telegraph line can be laid between the points mentioned.

Second. The extension of the landing privilege for a period of twenty years of the cables the concession for which may be granted for the purpose of joining all the Spanish possessions in the Pacific Ocean and of connecting them with other countries, such period to be reckoned from the date on which the new cable is opened for working.

I repeat that the Commercial Pacific Cable Company, by the admissions of Mr. Ward, has become a partner for the purpose of extending the monopoly held by the Eastern Extension Cable Company in the Pacific Ocean.

The gentleman from Alabama does not seem to comprehend, or purposely misconstrues, the dangerous modifications in the proposal of the Commercial Cable Company with reference to laying cables upon our shores.

As long ago as 1875, President Grant forbid the landing of a French cable upon our shores because the company seeking to make the landing held exclusive privileges from France which would deny to American citizens and companies the right to land cables in France, and the conditions that have always been imposed upon cable companies landing cables upon our shores provide "that neither company nor any cable with which it connects shall hold exclusive privileges" which would prevent the establishment of an American cable upon such land.

Does the gentleman deny that such exclusive privileges are held covering the island of Guam and the Philippines, as well as China? Does he deny that the Commercial Pacific Cable Company has made a contract which will give to it the right to land upon Guam and the Philippine Islands and deny to every other citizen or corporation of the United States like privileges?

I insist, Mr. Chairman, that before the Commercial Cable Company can land its cable upon our islands in the Pacific the exclusive privileges held by its partner must be abrogated and set aside.

I also charge that the Commercial Pacific Cable Company has combined with the Eastern Company, with whose lines it connects, for the purpose of regulating rates, and that this contract is in direct violation of not only the conditions to which I have referred with reference to landing of cables, but also a violation of the act of 1890, known as "the antitrust law."

Does the gentleman from Alabama desire to stand before his people advocating a measure that will extend the influence and power of the greatest trust of modern times? Does he forget the declaration of the Democratic party in its national platform against trusts? Does he desire to be confronted in the next cam-

paign with the charge that he upholds the hands of the cable monopoly?

Mr. Chairman, we have not quite finished with our investigations of the methods and the combining schemes of the Commercial Pacific Cable Company. Let me read the testimony of Mr. George G. Ward, vice-president of this company, wherein he admits a combination by his company with other cable lines for the control of the tariff rates across the Atlantic. This should command the attention of Congress:

Mr. CORLISS. The cables across the Atlantic Ocean have a uniform tariff rate, have they not?

Mr. WARD. Yes.

Mr. CORLISS. Those rates—they did not always exist, did they?

Mr. WARD. No, sir.

Mr. CORLISS. There was a time when the rate was only 12½ cents per word, was there not?

Mr. WARD. Yes; but that was a fighting rate, and existed only for two months.

Mr. CORLISS. And as a result of a mutual understanding they established a higher rate?

Mr. WARD. Yes, sir; in consequence of the great loss of the lower rate, the companies agreed to charge a reasonable rate of 25 cents per word.

Mr. CORLISS. Had the companies agreed among themselves that they would establish a rate?

Mr. WARD. Yes, sir.

* * * * *
Mr. CORLISS. You admit that there is an understanding or agreement with reference to tolls crossing the Atlantic?

Mr. WARD. There is.

Mr. Chairman, how much more time have I remaining of my thirty minutes?

The CHAIRMAN. The gentleman has six minutes.

Mr. CORLISS. I want to conclude by calling attention to the testimony of Mr. Ward, given before the committee, in which he admitted that a combination had been formed by the Atlantic cable companies to regulate tolls, and in the few minutes that I have remaining I want the Clerk to read a joint resolution which I will offer and have referred in the proper way to the committee, and which I will bring before this House at a later date, for the purpose of determining whether or not a combination for the regulation of tolls can be made without some one taking action to suppress such a monopoly.

The Clerk read as follows:

Whereas it is admitted by Mr. George G. Ward, an officer of the Commercial Cable Company, that said company has made a combination with other cable companies for the purpose of establishing a uniform rate for cable messages across the Atlantic Ocean in direct violation of paragraph 2 of the conditions imposed upon cable lines heretofore laid; and

Whereas said combination is a direct violation of section 2 of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies;" and

Whereas it has been held by the Supreme Court of the United States that monopolizing telegraphic communication with a foreign country is within the description of the aforesaid act: Therefore,

Resolved, That the Attorney-General be, and he is hereby, directed to institute such proceedings as may be deemed necessary to destroy such combination and monopoly and to punish the violation of said act.

Mr. CORLISS. Now, Mr. Chairman, it appears from the testimony of Mr. Ward that a combination exists in direct violation of the Sherman antitrust law. At the proper time I will present to this House the decisions of the Supreme Court of the United States showing that this law applies to telegraph and cable communications. I call the attention of members at the present time to its violation, because this admission is boldly and brazenly made to the committee, and the same people to-day are defying our Government, claiming that they have a right to lay this cable without permission of the President or Congress.

I submit that it is time that some one should call public attention to these flagrant violations of law.

Mr. GAINES of Tennessee. Will the gentleman yield a moment for an interrogatory?

Mr. CORLISS. Yes; certainly.

Mr. GAINES of Tennessee. You state that there is a trust, prohibited by the Sherman antitrust law, which is controlling the cable service between this country and Manila, and other places?

Mr. CORLISS. The cable that I refer to is across the Atlantic.

Mr. GAINES of Tennessee. Is it in a trust?

Mr. CORLISS. The testimony is that an agreement was made to control cable tolls across the Atlantic. The cable tolls at one time were 12½ cents a word. They are now 25 cents a word, in consequence of this agreement.

Mr. GAINES of Tennessee. Now, will the distinguished gentleman state whether or not he has called this trust or combine to the attention of the Attorney-General of the United States or of the President?

Mr. CORLISS. That is in the resolution which I have just had read, directing the Attorney-General to take proceedings against them, and if I can get a hearing I will have it adopted.

Mr. GAINES of Tennessee. It is not necessary that Congress should do that. It may be done by an individual. I ask the gentleman the question: Can not an individual call it to the attention of the Attorney-General, and has the gentleman done that?

Mr. CORLISS. The matter is being presented in an official way. I think that is the better manner of reaching public matters.

Mr. GAINES of Tennessee. I hope the gentleman will succeed in reaching the Attorney-General and in making him do his duty.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 4366. An act granting a pension to John Y. Corey;
- S. 2379. An act granting an increase of pension to George W. Evans;
- S. 2046. An act granting an increase of pension to Thomas E. Sauls;
- S. 2976. An act granting an increase of pension to Edward Thompson;
- S. 3390. An act granting an increase of pension to Charles Allen;
- S. 880. An act granting an increase of pension to Emory S. Foster;
- S. 3849. An act granting an increase of pension to Benjamin F. H. Lence;
- S. 4021. An act granting a pension to Sarah Frances Taft;
- S. 2768. An act granting an increase of pension to John G. Hutchinson;
- S. 3514. An act granting an increase of pension to Leander Parmelee;
- S. 3327. An act in amendment of section 2326 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States;
- S. 4086. An act granting a pension to Charles W. Foster;
- S. 3650. An act granting an increase of pension to Sarah A. Carter;
- S. 4111. An act granting an increase of pension to Abner J. Pettee;
- S. 1872. An act granting an increase of pension to Abbie George;
- S. 6. An act granting a pension to Charles H. Stone;
- S. 1095. An act granting an increase of pension to Mary Morgan;
- S. 4022. An act granting an increase of pension to Annie E. Brown;
- S. 2079. An act granting an increase of pension to William Wheeler;
- S. 2329. An act granting a pension to Peter Bittman;
- S. 3995. An act granting a pension to Susan E. Clark;
- S. 3916. An act granting an increase of pension to John S. Mitchell;
- S. 3378. An act granting an increase of pension to Sarah Annie Harris;
- S. 13. An act granting an increase of pension to George Daniels;
- S. 1982. An act granting a pension to Eugene J. Oulman;
- S. 1924. An act granting an increase of pension to Thomas Feneran;
- S. 2006. An act granting an increase of pension to James Lehen;
- S. 3252. An act granting an increase of pension to Jesse W. Bice;
- S. 1285. An act granting an increase of pension to Elizabeth Steele;
- S. 1809. An act to remove the charge of desertion now standing against Charles G. Brigham;
- S. 1634. An act to remove the charge of desertion against Thomas Cordingly;
- S. 3182. An act granting an increase of pension to Mary Louise Worden;
- S. 3662. An act granting a pension to Sarah C. Nicklin;
- S. 2293. An act for the relief of Matthew T. Lewis;
- S. 3481. An act granting an increase of pension to James E. Dexter;
- S. 4071. An act granting an increase of pension to George C. Tillman;
- S. 4214. An act granting an increase of pension to John McDonald;
- S. 1039. An act granting an increase of pension to Nathaniel C. Goodwin;
- S. 1979. An act granting an increase of pension to Samuel M. Howard;
- S. 4346. An act granting a pension to Augusta Turner;
- S. 3216. An act granting an increase of pension to Henry M. Taylor;
- S. 2505. An act granting an increase of pension to John Barnard;
- S. 3696. An act granting an increase of pension to Edward H. Armstrong;
- S. 142. An act granting a pension to J. J. Groff;
- S. 951. An act granting an increase of pension to Charles Ambrook;

S. 952. An act granting an increase of pension to George H. Smith;

S. 965. An act granting an increase of pension to Ella B. Gamble; and

S. 2371. An act granting a pension to Andrew J. Felt;

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 9227. An act granting an increase of pension to Frederick Shafer;

H. R. 280. An act for the relief of James M. Stradling;

H. R. 3762. An act for the relief of Emanuel Klausner;

H. R. 8493. An act granting a pension to Harry H. Sieg;

H. R. 4488. An act granting an increase of pension to Selden E. Whitcher;

H. R. 6014. An act granting an increase of pension to William Rhenby;

H. R. 3515. An act granting an increase of pension to Mary A. House; and

H. R. 3297. An act to correct the military record of William T. Pratt.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. COWHERD. I believe, Mr. Chairman, that I had forty-five minutes remaining. I desire to yield such time as the gentleman may desire to the gentleman from Kansas [Mr. JACKSON].

Mr. JACKSON of Kansas. Mr. Chairman, in my judgment the few remarks which I desire to submit are very appropriate in view of the able speech on Government ownership of the cable just made by the distinguished gentleman from Michigan [Mr. CORLISS]. As a basis for my remarks I desire the Clerk to read the joint resolution which I send to the desk, in order that it may be incorporated in the RECORD.

The Clerk read as follows:

Joint resolution (H. J. Res. 79) providing for the purchase and operation of certain telegraph lines.

Resolved, etc., That in pursuance of section 93 of the postal laws, which is in words and figures as follows:

"SEC. 93. Companies to file acceptance.—Before any telegraph company shall exercise any of the powers or privileges conferred by law, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by law." (Rev. Stat., pp. 52-63.)

And in pursuance of section 96 of the postal laws, which is in words and figures as follows:

"SEC. 96. Postmaster-General to select appraisers for the United States.—The United States may, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all companies acting under the provisions of the act of July 24, 1866, entitled 'An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, or other purposes,' or under this title, at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected." (Rev. Stat., pp. 52-67.)

And in pursuance of section 97 of the postal laws, in words and figures as follows:

"SEC. 97. The following-named companies have filed acceptances pursuant to section 93 prior to December 5, 1892, and on the dates respectively stated: Western Union Telegraph Company, July 8, 1867; Postal Telegraph Company, August 31, 1892.

The United States of America purchase the Western Union Telegraph Line and the Postal Telegraph Line and operate and maintain the same in connection with the postal department, under such laws and rules as may be provided.

SEC. 2. That for the purchase and operation of said telegraph companies the Postmaster-General be, and he is hereby, directed, within thirty days from taking effect of this resolution, to appoint two disinterested persons for each of said telegraph companies to act as appraisers for the United States, and that immediately thereafter he shall notify said telegraph companies of such appointment and demand that each appoint two disinterested persons to act as appraisers and that the four thus selected appoint a fifth person to act as an appraiser, and that the five persons thus selected shall proceed to appraise all property belonging to the telegraph companies which is used in the operation of its lines at its actual value.

SEC. 3. That it shall be the duty of each of said telegraph companies, within thirty days from such notification by the Postmaster-General, to appoint two disinterested persons as appraisers, and within ten days from the selection by the telegraph companies of said appraisers the four persons thus selected shall appoint a fifth person, and the appraisers thus selected shall, within one year from such selection, appraise all of the property of said telegraph companies which is necessary in the operation of their lines at its actual value, and within thirty days from said time report the result thereof to the Postmaster-General.

SEC. 4. That the Postmaster-General shall submit the report of the appraisers to the first Congress which shall convene after said report is made, and if the report thus submitted shall be approved by Congress, then there shall be appropriated an amount sufficient, out of any money in the Treasury not otherwise appropriated, to pay said appraisement; and upon such payment the Government shall be the owner of said telegraph companies, together with all of their instruments, poles, wires, rights, franchises, and easements which are necessary in and about their operation.

SEC. 5. That upon the consummation of said purchase Congress shall pass such laws as may be necessary in and about the operating of the telegraph companies in connection with the postal laws, and that the said telegraph companies thus purchased shall be known and named as the United States Telegraph.

SEC. 6. If either of said telegraph companies fail, neglect, or refuse to appoint the appraisers, after being notified by the Postmaster-General as aforesaid, then it shall be the duty of the appraisers appointed by the Postmaster-General to select a third person, and the three persons thus selected shall proceed to appraise said property in the manner aforesaid and make their

report to the Postmaster-General, who shall submit said report to Congress as hereinbefore provided.

SEC. 7. That each of said appraisers appointed by the Postmaster-General shall receive the sum of \$15 per day for each and every day in actual service, and in addition thereto his necessary expenses in and about said appraisal; and he shall, under oath, render an itemized account of his expenses and the number of days in actual service. And the cost and expenses of the fifth person as an appraiser shall be divided equally between the Government and the telegraph company, and is not to exceed the sum of \$15 per day and expenses.

Mr. JACKSON of Kansas. This resolution, Mr. Chairman, was introduced by me in the usual and ordinary manner as provided by the rules of this House. It was referred to the Committee on Post-Offices and Post-Roads, and there it met a most cruel fate.

It is a beautiful custom which has existed from the time when the mind of man runneth not to the contrary that the friends of the deceased should on some appropriate occasion speak feelingly and fittingly in his memory. In conformity with this ancient custom, and in response to my own feelings and convictions, I desire to say a few words as to the life of this resolution, its hopes, its aspirations, and its untimely fate. [Laughter.] I regret that its life is seemingly of short duration, and that it is to be cut down in the heyday of its existence. It possibly did not live long enough to exert any influence per se. It was not all it should have been, it was not all it would have been had it received the attention of more loving hearts and the assistance of more helping hands. It came and has now apparently passed away, leaving us to wonder whether or not it has left its footprints so that others who may come after can by some heroic effort accomplish its object and purpose.

It is also a custom when speaking in memory of the dead, if the deceased displayed any acts of heroism on the eve of his death, or gave utterance to some soul-inspiring words, that these should be duly extolled. But, Mr. Chairman, my subject did not have an opportunity either to display heroism or to speak a word. It was subjected to the most cruel punishment imaginable—suffocation in the pigeonholes of this committee. So much, Mr. Chairman, for its life and its fate, save and except who knows that the time may yet come when the vicious rules of this House will be so far modified that there will be a grand and a glorious resurrection of its victims. [Applause on the Democratic side.] Sir, as this resolution has been cast aside as a thing of no moment, I beg of you to remember that "the stone the builders rejected became the chief corner stone."

But what of its object and purpose? Did it come in the interest of peace, happiness, and the betterment of mankind, or did it come for avarice and greed? Did it come championing the cause of equality or inequality? Did it come as a messenger for the masses or for the classes? It is a trite saying that "coming events cast their shadows before." Sir, events have taken place in this House since the convening of this Congress which foretold the death of this resolution. When I heard one of the distinguished leaders on the Republican side, in closing the argument—no, not argument, but sophistries—in behalf of the Philippine tariff bill, deny that the power to govern is derived from the consent of the governed, and that the old maxim stated an untruth; when I heard it asserted that we should judge of the capabilities of a foreign nation for self-government, and that it was our duty to invade their country against their wish and desire and to assume to govern and control them as subjects over their protest, then I knew this resolution's doom was sealed.

When I observed that the policy of the majority in this House was to trample under foot the Declaration of Independence as a thing of no moment, and when I heard the cry that we should become a world power by force of arms, then I knew that reason had left her throne and that avarice and greed were rampant in this House. I then knew that justice and equality dare not appeal to such a sentiment. But, Mr. Chairman, I ask why should this resolution be subjected to such cruel punishment? It sang no new song, it preached no new doctrine, it advocated no fad. Government ownership of the telegraph is nothing new. The ultimate object and purpose sought by this resolution is not original. So much has been written and said in behalf of Government ownership of the telegraph that nothing new remains to be said. Repetition, tedious repetition, is all that is left in the discussion of the question.

The most eminent men in this nation have championed Government ownership of the telegraph lines. As far back as 1844 Henry Clay, the gifted orator and astute statesman, gave forth these words of warning. He said: "It is quite manifest that the telegraph is destined to exert great influence on the business affairs of society. In the hands of private individuals they will be able to monopolize intelligence and to perform the greatest operations in commerce and other departments of business. I think such an engine should be exclusively under the control of the Government." Such men as Sumner, Grant, Edmunds, Hamlin, Chandler, Dawes, Butler, and others were all earnest advocates of Government ownership.

Postmasters-General Johnson, Randall, Maynard, Howe, Creswell, and Wanamaker were zealous advocates of such ownership. Boards of trade, labor organizations, chambers of commerce, legislatures, and city councils have at one time or another petitioned for the same. Some of the most influential metropolitan papers of the country have advocated Government ownership. In fact, sir, the farmer, the merchant, the mechanic, and the laboring classes all demand it. Is it not strange that with such a sentiment and with such a consensus of opinion this mighty and powerful nation has been unable to accomplish this purpose? Is it not strange that when we boast of our marvelous progress and improvement the Government has not adopted a plan whereby we could convey intelligence in the quickest and most improved manner?

Is it not strange that the Government, the sole object and purpose of which is the welfare of its citizens and to bestow the greatest good to the greatest number, permits private interest to usurp the rights of the public? Notwithstanding the great unanimity for Government ownership of the telegraph, there has been and is to-day one active and energetic opposition, and this is confined to a few capitalists who insist on the exclusive right to transmit our language by the electric current. They are aided and assisted by a select number of politicians who in some manner and in some way have been able to delay legislation and by artful words and facile pen make it impossible for the friends of Government ownership to agree upon any plan. In some way and in some manner the enemies of Government ownership have been able to poison the minds of its friends against each and every plan which has been suggested for such ownership.

It is not my purpose to say anything harsh or unkind of or concerning the capitalists. When we give a person the authority to do a given thing, we should not criticize him for the act performed. We are constantly told that this is the age of "the survival of the fittest," and our present policy seems to justify us in getting all we can and keeping all we get. Therefore, it is but a waste of time to heap opprobrious epithets upon the capitalists, as they are simply doing what we, the people, have by our acts and conduct said they could do. We have resolved, but we have never executed. We have declaimed, but we have never performed. We have permitted private interests to supplant the rights of the public with only a feeble protest. If the friends of Government ownership would concentrate their forces, if they would agree upon a plan for the accomplishment of such ownership, we would not delay much longer righting the great wrongs from which we have suffered. The trouble has been and is to-day that when a plan is suggested for Government ownership its friends immediately criticize and find fault with the plan, and we have a confusion of ideas and tongues.

I stand to-day to plead for concert of action. Let us be of one mind and of one purpose. Let us agree upon some plan and then accept for our motto that of the grand old Commonwealth of Kentucky, "United we stand, divided we fall." Let us remember that no plan on which we may agree will be perfect and free from criticism. Let us remember that whatever mistakes we may make in the adoption of a plan will be amply recompensed in the accomplishment of a purpose. I did not offer this resolution as one of perfection. I did not offer it as the best that the mind might conceive. I understand and know that objections may be made to this as well as to any other plan, but why should the friends of Government ownership seriously object to this plan? I can understand that if you are not a friend of Government ownership this plan is objectionable, as any other would be, but if you are honestly and in good faith in favor of such ownership, I invite your careful consideration of the plan which I have suggested. It simply seeks to carry out the object and purpose intended when the franchise was granted. This resolution discloses that at the time the franchise was granted the Government reserved the right to purchase the property, its value to be determined by appraisers.

Mr. COWHERD. Will the gentleman allow me an inquiry at this point?

Mr. JACKSON of Kansas. Certainly.

Mr. COWHERD. Has the gentleman examined the provision close enough to say whether if the Government purchases it must buy all of its property, physical or otherwise, or only that which is used in the operation of its line?

Mr. JACKSON of Kansas. I have no objections to giving the gentleman my opinion with reference to that matter, yet in my judgment the question is not at present germane to the issue involved. I had not intended discussing the legal phase of this matter, because, in my judgment, it would be more appropriate upon a report made by the appraisers who would be appointed under this resolution. The resolution simply provides for the appraisal of the property, this appraisal to be reported to Congress, and then the matter would be subject to a general discussion as to the property appraised and the respective rights of the Government and the companies.

However, I am perfectly willing to state that in my judgment there is not a lawyer but who will agree that this reservation or compact gave the Government better terms than under the law of eminent domain. If this was not so intended, then it was meaningless and a waste of words. It is also my opinion that this compact only contemplates that the Government may purchase such property as is used in the operation of the lines. In its very nature it could not mean that the Government would be under obligations to purchase all the property of the corporation which is not necessary and not used in and about the operation of its lines. The company may own real estate; it may invest its money in different ways, and hold property in the name of the company, and yet the Government would be under no obligation to purchase such property because it is not used in the operation of the lines, but is the accumulation and profits of such an operation.

Now, Mr. Chairman, this resolution proceeds upon the principle of law that every individual will do that which is right. Inasmuch as it was provided that the value of this property should be determined by appraisers we have no right to assume that an unreasonable, unfair, and fictitious value will be placed on this property. While we have had many investigations as to the feasibility of Government ownership and its probable cost and expense, yet we have never made a definite proposition to either of these companies as to what we would be willing to give, nor have we ever received from either of them a definite statement as to what they would take. It is conceded by all friends of Government ownership that if these companies would sell at a just and a reasonable price it would be the most sensible thing for this Government to purchase. The plan suggested in this resolution is an ordinary business proposition.

If I have property for sale, either voluntarily or by operation of law, it is the duty of the individual to first determine whether or not he desires to become the owner of that property, and if he so desires, then determine whether or not he is willing to pay the price. This resolution proceeds upon the theory that we desire Government ownership. Of course, those who are opposed to Government ownership, as we have heretofore suggested, would be against this resolution or any other plan which had that for its object and purpose. Therefore, conceding that you are in favor of Government ownership, in my judgment, this resolution is a practical solution as to how to obtain it. You should bear in mind that there is nothing in this resolution which commits the Government to the acceptance of the report of the appraisers, but, upon the contrary, it expressly provides that the report shall be submitted to Congress, and it is for Congress to determine whether or not it will approve the same.

There is nothing drastic in this measure, nor does it seek to confiscate property. It simply assumes that a just, fair, and equitable appraisal will be made. For my part I am unwilling to pay something for nothing, and I am sure there is not a member of this House who will not consent to this statement. Nor do I desire to take something for nothing, and I feel sure that there is not a member in this House but who agrees with this statement. This resolution makes no fight on capital. As the laborer is worthy of his hire, so should capital receive just and fair compensation for its investment. I wage no war against the capitalist, but I strive to do that which is for the betterment of my fellow-citizens as I see and understand it. If in my effort to accomplish this purpose capital stands as a barrier, then it must give way to that inexorable law of the greatest good to the greatest number, for the rights of the many are paramount to those of the few. If the report of the appraisers is unfair and inequitable, then we are not compelled to accept the same, and yet the report may be valuable information to aid us in taking the next and second step for Government ownership. The cost and expense incident to carrying out the terms of this resolution would not exceed \$20,000, which would be a mere bagatelle compared to the good that would be accomplished and to what we have heretofore paid for investigations.

Mr. Chairman, by this resolution we give the two companies an opportunity to dispose of their property at a fair and reasonable valuation, and if they refuse to accept the opportunity thus offered the fault will not be ours. If they refuse a fair and equitable price, then this resolution paves the way for another step in behalf of Government ownership. By this resolution we show our good faith and that we are willing to give the companies an opportunity to make a disposition of their property on reasonable terms. Upon their refusal so to do, then we should introduce a bill establishing schedule rates for telegraph companies and at the same time providing for the Government to erect, purchase, operate, and maintain a postal telegraph. Then let us proceed to build, not all at once nor in a year or several years, but let our progress be as fast as good judgment and common business sense will permit. If, during the time we are building, either of these companies desires to sell its lines or any part thereof at a price

which we think is reasonable, fair, and equitable, then we can purchase.

In my judgment, when the companies understand and know that the Government will have, own, and operate its telegraph lines, and that it is proceeding as fast as possible to accomplish that object and purpose, they will be exceedingly anxious and willing to meet us on just terms and at a reasonable price. So long as we dally, so long as we hesitate, so long as we falter, just so long will these private companies govern and control the means of transmitting the English language by the electric current. Just so long as we delay legislation for Government ownership, so long will there be a monopoly for the transmission of our language, and the masses of our people will be the victims.

Therefore, Mr. Chairman, I beg for some affirmative act on the part of the Government for the postal telegraph, knowing how necessary it is that a start be made at once, as it will take many years to accomplish the undertaking.

Mr. COWHERD. Will the gentleman pardon an interruption for a question?

Mr. JACKSON of Kansas. Certainly.

Mr. COWHERD. Would the recent experiments of Marconi with wireless telegraphy affect the question of Government ownership of the present system?

Mr. JACKSON of Kansas. I am very glad to give the gentleman my views with reference to this question. It seems to be one which has been discussed more or less in connection with Government ownership. I have received many letters from different parts of the country asking substantially the same question. In each letter the writer assures me that he is for Government ownership, but doubts the wisdom of doing anything just now by reason of wireless telegraphy. In many papers the editors of which I know to be heartily in favor of Government ownership the same suggestion has been made. I have given the matter some thought and have read the views of different experts. From all I can learn there is nothing yet which gives us any assurance that wireless telegraphy will be a commercial success. I do not mean to underestimate the invention. Indeed, a man would be a fool to prophesy as to what to-morrow will bring forth in either the physical or scientific world.

This is an age of progress, growth, and improvement, and the wonders of to-day will be the common things of to-morrow. The fact that electricity travels in a wave is not new or original, but the wonder is that an instrument has been invented to receive the impression so that it may become intelligible. Two things are necessary for the commercial success of telegraphy. They are secrecy and certainty. As an illustration, if you desire to send a message from here to New York by the wireless system, the wave by which you undertake to send this message goes in every direction and extends to the uttermost parts of our country. While seeking to send your message only to New York, it would also go by the wave to San Francisco or New Orleans. Marconi makes no claim that he can control the direction of the wave, and until some instrument is invented which will only receive from its companion sender there can be no secrecy in this system, and without secrecy it will not be accepted by the commercial world. Then, again, we have no assurance of its certainty. It travels by waves, and is therefore subject to all the elements. I am sure I could not make a better answer or explain more satisfactorily than by reading the opinion of Hiram Maxim, of London, as given in the papers a few days ago:

An enemy in time of war might set up a wave-making apparatus of very great power, giving off waves of all amplitude, and making it absolutely impossible to work any system of wireless telegraphy.

The attuning of a transmitter or receiver to a certain pitch is only feasible to a limited extent—say a dozen different kinds of waves. Supposing that in war two hostile fleets were concerned, No. 1 depending on the ordinary system of signaling, No. 2 depending on wireless telegraphy. It would be possible to provide fleet No. 1 with apparatus for making such a confusion of waves as to render the apparatus of fleet No. 2 absolutely useless.

Marconi now has the atmosphere to himself, but when others enter the field and all are making their little waves, though they may not interfere with each other, nevertheless the operator who receives them and reduces them to the English language will have a rather difficult task.

The Marconi system undoubtedly has enormous value, chiefly for ships signaling each other or with the shore during fogs. The cable companies and Marconi can both live in the same world in perfect accord. One system will not interfere with the other. The Marconi system can perform new services without encroaching on the cable companies' sphere.

You are to understand from this that I am no skeptic, and I refuse to be placed in the position of a prophet. For myself, I would not be surprised at anything which may happen in the scientific world, but simply insist that the present experiments with wireless telegraphy should not deter us from taking the first step for Government ownership. If this resolution should pass, it possibly would take several years to consummate the deal, and before the Government accepted or declined the appraisal if wireless telegraphy should have demonstrated its commercial success, then we need not proceed further along the line suggested in this resolution. This sentiment of delay, as suggested by wireless telegraphy, has never contributed to our growth,

progress, and improvement. It did not subdue our prairies or build our cities. It never built a railroad, ship, or boat. Delay has nothing in common with progress. It is a sworn enemy of industry, and without industry we have degeneration. Suppose should suggest that it would be foolish to build any more railroads, boats, or ships because Santos-Dumont has navigated around Eiffel Tower? But a few days ago I read this dispatch in the morning papers:

CHARLESTON, W. VA., February 7.

The Myers Transportation Company, of Pittsburg, incorporated here yesterday, states that the company is "to manufacture, build, operate, and equip airships, and to engage in the business of transporting freight and passengers through the air."

The authorized capital is \$100,000.

The incorporators are G. F. Myers, C. M. Thorp, S. L. Ruslander, of Pittsburg, and J. R. Windle and G. F. Rubner, of Allegheny.

Now, our Republican friends are insisting on a ship subsidy, and I am sure all of my Democratic brethren are against the measure; but if the only argument we can urge is the experiment of Dumont with his flying machine, and that nothing should be done with reference to our building ships until that had been fully investigated, I feel confident that you would regard the argument as foolish. Yet who knows but that airships may come, and no one can tell when that will be. We can not question the possibilities of the future. Many marvelous things in the physical and scientific world will come in God's own appointed time, and until they do come we deal with conditions which confront us. God forbid that this mighty and powerful nation should wait for some inventive genius to relieve us of the burdens of monopoly.

Mr. Chairman, the necessity for Government ownership of the telegraph is based on the elementary principle of justice and right. The fundamental object and purpose of the Government is life, liberty, and happiness. It is not mercenary. It is not for dollars and cents. It is not to amass fortunes, but for justice, human development, pure lives, and happy homes. When the Government loses sight of this object and purpose, then it ceases to be that for which it was created. In order that its object and purpose may be accomplished it is necessary that it should champion—yes, practice—"equal rights to all and exclusive privileges to none." Any infringement on this self-evident truth, any impairment of the rights thus conferred can not be other than hurtful to our institutions and citizens. The supreme test for the perpetuity of a republican form of government is manhood, virtue, progress, and industry. Wealth when rightly obtained is beneficial, but should be regarded as the crude material for a higher and a nobler civilization. Therefore, Congress in legislating should always have in mind the peace, happiness, and welfare of the American people.

I do not believe, Mr. Chairman, that the individual should be unmindful of his duty and indifferent to his responsibilities. I do not believe that the Government should do for the individual that which he could by industry and the exercise of his political rights do for himself; but, sir, I maintain that on matters which are public and which the individual in the very nature of things can not do for himself it is the duty of the Government to guard and protect those public rights. When this Government was created, it was recognized by the fathers that the individual could not with convenience and dispatch, yea, that he could not successfully follow his vocation in life and at the same time carry his messages to the uttermost parts of the country, and therefore the Government undertook to do it for him by our postal system.

The reason which suggested the postal system is the same reason which suggests the necessity for Government ownership of the telegraph. In the very nature of things the individual can not send intelligence by the electric current. He is dependent wholly upon some one else. The telegraph has become a part of our commercial life. Under our present system the individual is subject to the convenience, the extortion, and the pleasure of the private company in doing that which has long since become recognized as a public necessity. We have recognized the necessity of the electric current to transmit intelligence, and it is the modern and improved means for transmission, yet we subject the individual to the mercy of a few capitalists. The capitalists are selfish. The question of service is only an incident to the profit they can derive from the business. They only seek territory for operation where a handsome dividend will be paid.

The question of service is not the controlling thought, but it is a question of dividends. The Government does not consider the question of dividends, but of service. If the Government were the owner of the telegraph, there would be no discrimination in favor of certain classes at the expense of others. The Wall-street speculator would have no advantage over the farmer or tradesman. Our present telegraph system is not as great as it should be. It should serve the public as a whole. Now, the question is, How large a dividend can be declared on about seventy millions of watered stock? If the Government were the owner of the

telegraph lines, it could place an office in each and every post-office in the country, and thereby the farmer, the laborer, and the mechanic could enjoy the service of the same.

The charges for service of the telegraph in the hands of the private company are unreasonable and unjust and founded solely on profits and large dividends. If the Government were the owner, the charges would be decreased and the service increased. They tell us that the private company must be confined to business territory, and speak of Wall street, the metropolitan cities, boards of trade, and chambers of commerce as having paramount rights. We recognize their necessity and importance, but insist that there are other business interests which of right should be considered. The man who tills the soil has a business interest; the man who feeds the cattle and hogs has a business interest; the man who delves in the bosom of mother earth and extracts therefrom its precious ore has a business interest. Yea, the great producing classes of this nation have a business interest, and they receive the least benefit from the present system of telegraph.

Be it said to our shame that Canada and America are the only two highly civilized nations that have not accepted the most improved way of transmitting intelligence. Let us keep pace with the times. Let us more fully realize the object and purpose of this Government and strive to so legislate that it will bring peace, happiness, and prosperity to our own people. Let us stop this hypocritical pretense of benevolent assimilation. Let us cease this cry of a world power by force and arms until at least we can deal justly and fairly with our own citizens in our own land and under our own flag.

Mr. RICHARDSON of Alabama. Mr. Chairman, some few days since I took occasion to express my views on the subject of the Pacific telegraphic cable; that is, whether Government ownership or individual ownership should prevail in reference to that enterprise. Mr. Chairman, I would not trespass any further upon the indulgence or the kindness of this House had it not been for the remarks just made by the gentleman from Michigan of a character personal to myself.

I regret, Mr. Chairman, that the distinguished gentleman from Michigan, who has taken occasion to refer to me in a certain manner, is at present out of his seat. I am glad to see that he has just entered the House. There is one thing that I will say about the gentleman from Michigan: He has the most remarkable, as well as the most unique, and I think the most exclusive, facilities for reaching the public ear in advance of the delivery of his speeches; more so, probably, than any gentleman on this floor.

In the remark just made, Mr. Chairman, I do not mean to reflect upon the members of the "press gallery" in any manner whatsoever. My intercourse with them and my observation is that they are gentlemen of the very highest character and are disposed to treat all just and fair alike. I hold in my hand, Mr. Chairman, not my own speech, but the speech of the gentleman from Michigan [Mr. CORLISS], which, if you will permit the expression, has been "lying in soak" for two weeks from to-day. I say that is something quite singular. Now, I do not intend to complain of what purports to be his speech in any way or manner—I know that is sometimes customary—but what I do complain of, Mr. Chairman, is the caption of what purported to be the gentleman's speech, which has been in the hands of correspondents for two weeks from to-day and which reflects upon me personally, or impugns my motive, appearing as though it were written by a correspondent, while in fact and in truth, as I believe, it was written by the gentleman from Michigan himself. I read now the caption of the speech that he has given out to the correspondents and which has been in their hands for two weeks past. What is it? It is as follows:

Representative CORLISS, of Michigan, author of the bill to construct a Government cable to Manila, has taken grave offense at the language of Representative RICHARDSON of Alabama, who took occasion yesterday to attack the bill and its author. To-day Representative CORLISS made a sharp rejoinder to Representative RICHARDSON, in which he went at the Commercial Cable Company, which is opposing the bill, "hammer and tongs," questioning the sincerity of Mr. RICHARDSON and intimating very broadly that he had some ulterior motive in making his speech against the bill.

That is the part to which I object, Mr. Chairman. The gentleman improperly makes a correspondent, as the caption of his speech, use language that questions the sincerity of my motives, when he wrote it himself. Armed with that caption, I would have been authorized and allowed, under a "question of privilege," to have asked the respectful attention of this House.

Mr. CORLISS. Surely the gentleman does not make the charge that I wrote any articles for newspapers?

Mr. RICHARDSON of Alabama. I am bound, from the circumstances and surroundings, to say that I believe you wrote that caption.

Mr. CORLISS. I want to say to you that that is absolutely untrue.

Mr. RICHARDSON of Alabama. How is it there, then?

Mr. CORLISS. I do not know, sir.

Mr. RICHARDSON of Alabama. "Referring to Mr. RICHARDSON as follows"—

Mr. CORLISS. Well, sir; I do not know.

Mr. RICHARDSON of Alabama. This caption accompanied your speech when it was placed in the hands of the correspondents and has been a part and parcel of it ever since. You made an addition to the speech a short time since and that was attached to the same caption.

Mr. CORLISS. Will the gentleman permit an interruption?

Mr. RICHARDSON of Alabama. No; I do not want to be interrupted.

Mr. CORLISS. I submit there is no justification for any such statement.

Mr. RICHARDSON of Alabama. Now, I am going on. I say that I found it in this condition, all printed on the same paper—caption and speech. Mr. Chairman, having read the caption, I now wish to read a few extracts from the gentleman's speech, in which he took occasion to speak of myself.

Here is the first one I call attention to:

Does he desire to be confronted in his next campaign with the charge that during his first session in Congress he sought to uphold the hands of a cable monopoly?

Mr. Chairman, there is just about as much truth as to facts in that paragraph as there is in any paragraph or statement that the gentleman has made on this floor during his three speeches which he has so industriously and assiduously scattered throughout the country. In the first place, let me say that I did not expect the gentleman from Michigan to know that I was in the Fifty-sixth Congress. Of course I did not expect that, but by examining the records he could have found out the fact that I was in the Fifty-sixth Congress. So there is an error at the start. My information is that the gentleman entered the Fifty-fourth Congress. He has been through the Fifty-fifth and the Fifty-sixth and is now a member of the Fifty-seventh. In what I hope was an unobtrusive way, looking on to catch the drift of matters and the rules of the House and all its entanglements in a quiet manner, I have observed that sometimes a long term as member in Congress for different sessions succeeding each other is a great benefit to the member himself and to his constituents, and sometimes it is not. Which one of the class of the "sometimes" the gentleman from Michigan belongs I will leave to the impartial verdict of this House.

Again, Mr. Chairman, he says about me, and I read from the same speech:

Why did not the gentleman from Alabama wait until the consideration of this measure had been properly before the House? What purpose has the gentleman in mind or object to obtain in rushing to the defense of this corporation? From my long experience in the practice of the profession to which the gentleman belongs, I am led to believe that there is a motive back of every act in human life, whether in private or official capacity, and I would be glad if the gentleman would enlighten us upon the subject and explain his own zeal and motive upon this question.

Mr. Chairman, I am a member of the Committee on Interstate and Foreign Commerce with the gentleman from Michigan. I know of no special reason why, as a member that committee, I or any other member having equal rights and privileges with the gentleman from Michigan should sit still and allow him, without contradiction, to make three speeches disseminating alleged facts that are erroneous and multiplying misstatements upon this great question. I ask

"Upon what meat doth this our Caesar feed,
That he hath grown so great?"

Now, Mr. Chairman, I do not intend to allow any of these personal insinuations to divert me. I take them in the right spirit, fully conscious of what my motives are, knowing that consciousness of that kind gives courage at all times and under all circumstances to a man to speak his honest sentiments. I have not the remotest fear that my motives will be misjudged by this House. I am not going to let these matters divert me from what the real issue is. "The raw head and bloody bones" nursery pictures and tales conjured from the fertile mind of the gentleman from Michigan [Mr. CORLISS] in denouncing monopolies are in my judgment the veriest claptrap. They are an appeal to the "peanut gallery" of the country and ought not to have any consideration at the hands of the members of this House or of the country.

Why, look for a moment, if you please. I said that he had wonderful facilities for reaching the public. Why, would you recognize this picture which I have here? Suppose I were an artist and could transform it and put it upon the pages of my speech and send it to the country. I am told my friend is disseminating these pictures, which represent a great anaconda, an octopus stretching from San Francisco to Manila, in the Philippine Islands, and my friend CORLISS standing there with his little sling to slay the great Goliath. Here is the picture. But such matters shall not take me away from the great business proposition—the economic question of dollars and cents involved in the construction and ownership of the Pacific cable. I am no capi-

talist nor monopolist. This is chiefly a business question, and as such it will and ought to be considered.

What is this proposition that we have to discuss? The gentleman from Michigan and his friends propose that the Government of the United States shall lay this cable from the coast of California to Manila at a cost, on a conservative estimate, of \$15,000,000. What next? That the annual outlay for its maintenance will be \$1,500,000; that the reasonable annual income that the Government can expect to receive will not exceed \$150,000. That is the proposition that they make, and that is the proposition that this House will pass upon.

What is the counter proposition? I call the attention of the House to it. I am not basing my contention in favor of private ownership and a private corporation building this cable at this time upon my opposition to the Federal Government invading the field of private enterprise. We know what the result of that is. The result is that it destroys industry and enterprise, fossilizes management, prevents improvements, blocks progress, and finally results in political revolution. That is the experience of Great Britain to-day. She is realizing the same effect that she realized under the old trade guilds, which the first Reform Parliament of 1833 wiped from the statute books. The facts were fully developed a short time since at a dinner given by a branch of the London Chamber of Commerce to Robert P. Porter, American statistician, that Government ownership subjects cities and towns to the most grasping monopolies. These proceedings have been published.

What is the proposition for which we are contending? It is this: Here is the "Commercial Pacific Cable Company," competent, qualified, financially and otherwise, experienced in its work, with men of the necessary skill. They propose to build this cable from the coast of California to Manila by January, 1905, without a single dollar of cost, aid, or subsidy from the Government. Ah, Mr. Chairman, that strikes the common sense and the business sense of the country with some force. What next do we find about this Commercial Pacific Cable Company? They have entered into a contract to build this cable from San Francisco to Honolulu and to complete it by the 1st day of January, 1903. They have expended on that contract \$180,000. It will cost them to build to Honolulu something over \$2,000,000. It is conceded by everybody and unquestioned by anyone, under the evidence that was submitted to the Interstate and Foreign Commerce Committee, that a line from California to Honolulu could not possibly pay the running expenses; that there was not enough business there to justify the laying of such a line.

Then I say that when this company gives such an earnest evidence as the spending of over \$2,000,000, it is an absolute guaranty that it will proceed and build the line to Manila, where the business will pay. Now, what is the next guarantee made by the Commercial Pacific Cable Company? It proposes to build an all-American line, if possible, and, as said before, there is no question about that, except the deep water around Guam. What else does it propose? It proposes to take Government messages at half rates, and not only that, but that the Postmaster-General shall regulate the cable rate, and that the Secretary of State, whenever in his opinion an emergency arises, shall have the right, in the name of the Government of the United States, to take possession of that line and to use it and operate it for the Government until the necessity is past. And what else does it do? These are the questions that we propound to those who raise this cry of "monopoly and octopus." It proposes to reduce existing rates from \$1.66 per word to \$1 per word from San Francisco to Manila and \$1 to China.

What else does it do? Why this company gives a guaranty—pledges itself that the Government can step in and buy the cable the moment it sees proper at its appraised value, the appraisers being agreed upon in the usual way. Now, I say, what stronger argument, what more convincing facts, can I give for the purity of my motive for my advocacy of private ownership than the simple business proposition that has been stated? Why, I ask, with all of these safeguards, should we be willing to thrust the Government, at the behests of private interests and dictation, into a line of policy of Government ownership, invading private enterprise, destroying private energy and industry, by bringing the people into competition with its immense resources? Now, right on that line I will read just for one moment. There is something behind all this. We will find it and see it.

Mr. Scrymser, who is to-day advocating Government ownership (standing by my friend from Michigan), who has changed his front from what he was a few years ago. Listen to what he says, and I read from the hearings of the committee of 1900:

Our route is known as the "Via Galveston" route, and with that route we are in connection with the Western Union and its allied cables, and also with the Commercial Cable Company. All these foreign cable companies are interested in diverting South American European traffic this way in order that they shall get their portion of tolls from London to New York, or London to Galveston, as the case may be. A careful study of our telegraph records

shows that about 1,470 customers do the whole telegraph business of Central and South America. Of that 1,470 customers 400 do 90 per cent of the whole traffic, and of those 400 who do 90 per cent of the whole traffic 300 are European, thereby showing that only about 100 of them are American firms and corporations. It stands to reason that the establishment of a United States Government Pacific cable will be for the sole benefit of about 100 American firms and 300 European firms. I ask you, gentlemen, if it is fair to tax 75,000,000 American people to the extent of \$25,000,000 for the benefit of 400 firms who are to use a Pacific cable—300 of whom are Europeans?

Mr. Chairman, I repeat that interrogatory of Mr. Scrymser today as part of my remarks.

Now, Mr. Chairman, any Pacific cable that the Government would build will necessarily stop at Manila, unless we propose to expend untold millions in building a cable around the world. The bill which the gentleman introduced admits that it is to stop at Manila. I respectfully call attention to another feature of that bill that has not heretofore been commented upon, and it is this: I read first section 8 of the bill that has been eliminated, and it will give you some idea why this was done. Who is moving in it? Where is the great octopus and anaconda? Where is the great combination and monopoly? That is the question that will propound itself in the face of facts to these business men in this House.

SEC. 8. That for the promotion of our commercial interests, the President of the United States is hereby authorized to enter into negotiations and establish international and governmental cable communications with Japan between the island of Luzon and Formosa, and with China, between the island of Luzon and some commercially desirable Chinese port.

Now, that was stricken out from the bill.

Mr. CORLISS. At whose suggestion?

Mr. RICHARDSON of Alabama. And this was substituted:

SEC. 8. That for the promotion of our commercial and other interests, the Postmaster-General, Secretary of War, and Secretary of the Navy are hereby authorized to enter into negotiations and establish cable communication through existing cable lines.

It does not stop there.

Or cable lines hereafter constructed.

There is the gist and the gravamen of that clause. Who is going to construct them? I read now something that will shed light on that transaction from the testimony that was taken before the Committee on Interstate and Foreign Commerce. The chairman was questioning Mr. Clark who is the managing man and vice-president of the great Western Union Telegraph Company. I have no words of abuse for this or any other company:

The CHAIRMAN. If I understand your statement, the Commercial Pacific Cable Company now have arrangements by which they could gather up and could distribute general telegraphic business from Manila throughout China and Japan, and so forth?

Mr. CLARK. Yes, sir.

The CHAIRMAN. They have that arrangement now?

Mr. CLARK. As I understand it; yes, sir.

The CHAIRMAN. Then they have an arrangement through the ownership of the Postal Telegraph Company by which they could gather up and distribute messages here in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. You have that also here in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. You do not have that facility from Manila, we will say, or from the Philippine Islands, throughout China and Japan?

Mr. CLARK. Only as the business is apportioned by the Eastern Company now.

The CHAIRMAN. You have no right?

Mr. CLARK. We have no right.

The CHAIRMAN. No right at this time?

Mr. CLARK. No, sir.

The CHAIRMAN. Now, the Pacific Cable Company propose to put in that missing link at their own expense?

Mr. CLARK. Yes, sir.

The CHAIRMAN. Connecting San Francisco with the islands; and they, you think, would use their company here, in the United States?

Mr. CLARK. Yes, sir.

The CHAIRMAN. To the exclusion of your own?

Mr. CLARK. Yes, sir.

The CHAIRMAN. Now, while they are willing to do all this at their own expense, you object to their doing it unless your own company can be a participant in the advantages of building that cable?

Mr. CLARK. No, sir; I say that a Government cable will serve all a great deal better and give us our share—that is the whole truth of it.

The CHAIRMAN. Then you want some method adopted by which, without any additional expense to you—to your company—you can have these advantages which the other company is willing to pay for?

Mr. CLARK. That is my chief desire; yes, sir.

There is the milk in the cocoanut. They are trying to use the Government to pull out "the hot chestnuts" from the fire for them. They get the benefit of the expenditure of a vast amount of money by the Government.

What else in that connection? Why, Mr. Clark, vice-president of the Western Union Telegraph Company, says: "But they are laying one, so they say. I will say frankly that we are not willing to invest \$12,000,000 in that enterprise."

And listen, again, Mr. Chairman. Here is Mr. Baylies, who was the attorney for the Western Union Company:

The CHAIRMAN. When you have appeared before this committee on other occasions you were not, my recollection is, in favor of a governmental cable?

Mr. BAYLIES. No, sir; we strongly opposed it.

The CHAIRMAN. At that time you came asking substantially for a contract with the Government that would be in the nature of aid to your enterprise?

Mr. BAYLIES. Yes, sir.

The CHAIRMAN. You now propose, if the Government cable is established,

to exercise your right, which you now possess, of the construction of a cable from Manila to China and Japan?

Mr. BAYLIES. If we have the Government's assistance to the extent of breaking up the existing monopoly by building a cable to the Philippines; the money for the rest we propose to supply.

The CHAIRMAN. You are now an advocate of the Government building a link between your other cables that may land in this country and Manila and the cables which you propose to establish between Manila and other points?

Mr. BAYLIES. Yes.

The CHAIRMAN. Then you are still here asking for aid from the Government, but simply in a different form?

Mr. BAYLIES. We are asking its moral support, not its financial aid.

The CHAIRMAN. You ask its financial aid in the construction of the link in the cable that you proposed yourself to build two years ago with a subsidy?

Mr. BAYLIES. Yes.

The CHAIRMAN. So that your attitude of interest is perhaps as great now as then, but simply changed in form?

Mr. BAYLIES. That is also true. We certainly have been working for a great many years to establish a Pacific cable, and this is the only way of doing it.

So, Mr. Chairman, the Commercial Pacific Cable Company proposes to build this link between the coast of California and Manila at their own expense, and the Western Union Telegraph Company, Mr. Clark, and Mr. Scrymser, with the several companies he represents, do not want it done, because, they say, "We want the Government to do it and for us to get the benefit of it." Which proposition, as a business matter, will this House accept?

Mr. CORLISS. Will the gentleman permit a question?

Mr. RICHARDSON of Alabama. Yes.

Mr. CORLISS. Does not the gentleman admit that there are exclusive privileges existing on the island of Guam and the Philippines that would deny to the Western Union Company or any other interest in this country the right to lay a cable, if this one was permitted, and would deny it until 1940?

Mr. RICHARDSON of Alabama. I have the same objection to the gentleman's question that the Tennessee lawyer had to the demurrer that was interposed in a case once in court. The judge asked him once or twice what his objection to the demurrer was, and he said, "Why, judge, it is too long." [Laughter.] The gentleman's question is too long. I do not know and I do not admit that it is true at all.

That is not my information. What I know is that the great bugaboo, "jack-o'-lantern" light that the gentleman from Michigan so persistently follows through the murky and miry swamp of his imagination is that the Eastern Extension Pacific Cable Company that runs from Manila to Hongkong, about 700 miles, is the one company that the Commercial Pacific Cable Company will form a combination with to regulate through rates. It is unnecessary to discuss the question of connections. The fact is that under the Spanish grant giving the Eastern Extension Cable Company the right to lay the line from Manila to Hongkong can be bought to-day for \$25,000 annually for the balance of the lease of about sixteen years. I know that is a fact, and that disposes of that matter.

Now, I will revert to the speech of the gentleman from Michigan. I pass by as idle and not deserving attention the references of the gentleman to my distinguished friend from Tennessee [Mr. RICHARDSON], our minority leader, as to what had been said about him in the State of Michigan in the confusion of our identity. We will be in a woeful condition of distress and "dire straits" when the Democratic party needs the defense of my friend from Michigan. We should certainly be in a bad, bad fix. [Laughter.] We do not ask that. I certainly can bear my name being connected with the distinguished gentleman from Tennessee, if he can.

Now, again, the gentleman says that "Great Britain never offered the privilege of building a cable to Vancouver through the Pacific to a private company; so that Mr. RICHARDSON was mistaken when he said it had." What about that? Now, I call this to the attention, Mr. Chairman, of the House, and this is the report of the committee appointed to consider the proposal for laying a telegraph cable between British North America and the colonies of Australasia. They say:

In arriving at this conclusion—

This is the British committee speaking—

they do not underrate the importance of allowing all commercial undertakings to be carried out whenever possible by private enterprise unassisted by the Government.

"Whenever possible." What do you understand that language to mean?

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that my colleague may be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Alabama asks that his colleague may be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Alabama. The committee says:

In arriving at this conclusion they do not underrate the importance of allowing all commercial undertakings to be carried out whenever possible by private enterprise unassisted by the Government.

The meaning of that is that they could not get any help from private enterprise. It was impracticable. That is all, and there is no other construction to give it. "But," they say, "in the present case there seems to be no possibility that private capital will be forthcoming for the purpose of laying a Pacific cable without a larger subsidy than the Governments interested in the project would be prepared to grant."

That is just what they were doing here in the last Congress, asking a subsidy, and to-day the Commercial Pacific Cable Company comes up and says: "We will build the line; will guarantee it; will safeguard the interests of the Government in times of peace and in war, and will ask no subsidy for doing it whatever."

I refer also to the remarks of Sir John Pender, published in the Electrician Magazine, London, of the 13th day of December, last year, page 308.

The gentleman, in his speech, says:

I repeat that Great Britain has purchased and owns and controls over 20,000 miles of cable, in addition to the one constructed in the Pacific, and it matters not whether she acquired it by direct government construction or obtained it as she did the Suez Canal, by buying stock of a corporation, holding the cables when she desired them for protecting military property and expanding her trade and commerce.

Now, the gentleman has fallen into a fatal error again, if I understand the matter. I read, Mr. Chairman, from a document furnished by the Auditor for the War Department and published some time since in the hearings of the Committee on Interstate and Foreign Commerce. I read from the title, "Cables owned by British Government administration," page 47. The fact is, and it stands uncontradicted, that Great Britain owns two thousand and a fraction—2,016—miles of cable, and the longest cable that she has, according to this report, is 122.63 miles.

Now, what else is there about that? I hold in my hand a map showing the "Submarine and Land Telegraph Systems of the World." If Great Britain owns 20,000 miles, as the gentleman from Michigan says, surely that fact would appear upon this map, which is published by the chief of the bureau. What are the great submarine and land telegraph systems of the world? They are designated upon this map as A, B, C, etc. Here are the names: Anglo-American Telegraph Company, The Commercial Cable Company, Western Union Telegraph Company, Compagnie Francaise du Telegraph, Eastern Telegraph Company, Brazilian Submarine Telegraph Company, Eastern and South African Telegraph Company, Eastern Extension, Australasia and China Telegraph Company, Great Northern Telegraph Company, West India and Panama Telegraph Company, Central and South American Telegraph Company, and German Atlantic Cable Company.

That statement shows, and it can not be contradicted, what are the great submarine and land telegraph systems of the world. The gentleman from Michigan and those who are acting with him are undertaking to show that Great Britain has established all the precedents in connection with this question. Now, Mr. Chairman, I do not take any part in this great abuse of corporations and monopolies. There is no argument in that. It appeals simply to prejudice. We should not overlook the vital question of whether we are prepared to establish the precedent of Government ownership, with the untold evils that will rise up to vex and harass us in the wake of such a precedent.

Now, Mr. Chairman, I have delayed the House longer than I had intended. Tradition—whether true or untrue, I know not—is to the effect that the gentleman from Michigan when he entered Congress for the first time—in the Fifty-fourth Congress—came here as the protégé or the pupil of the much-lamented Governor Pingree, of his State, a man of great national reputation. If that is so, I can easily account for the many startling and appalling idiosyncrasies that the gentleman has demonstrated in this debate about the cable question.

The gentleman from Michigan refers to various commercial organizations that have indorsed Government ownership of the Pacific cable. I refer him to the canceled resolutions of the Los Angeles Chamber of Commerce. I also refer to the letter written to the gentleman from Michigan by the Chamber of Commerce of Baltimore, which I have leave to print.

The letters referred to are as follows:

LOS ANGELES CHAMBER OF COMMERCE,
Los Angeles, Cal., February 13, 1902.

Commissioner R. R. HAINES,
Manager Postal Telegraph Cable Company, Los Angeles, Cal.

DEAR SIR: Responding to your request of recent date with reference to the chamber's action in the matter of the Pacific cable, will state that the following resolutions were adopted December 18, 1901:

"Whereas the ownership and control of the Hawaiian and Philippine Islands in the Pacific Ocean have greatly advanced the possibilities and commercial progress of our country, and with the construction of the Nicaragua Canal, will enable our people to develop a merchant marine and advance our trade and commerce with the Orient; and

"Whereas Great Britain has largely controlled the trade and commerce of the seas by the construction, ownership, and control of cable lines and canals: Therefore, be it

"Resolved, That a Government cable connecting the islands owned and controlled by our country in the Pacific Ocean is a public necessity for the

proper advancement of our trade and commerce, as well as our naval and military protection; also

"Resolved, That such cable should be laid, owned, and controlled by our Government, and operated the same as the Post-Office Department at the least possible expense to the people; that the pending measure, known as the Corliss bill, commands our hearty approval, and in our judgment should be speedily adopted.

"Resolved, That the foregoing resolution be submitted to Congress and a copy thereof be submitted to each Member and Senator of this State."

On January 15, 1902, by resolution introduced by Director Forman, the above action was rescinded, and the plans of the Commercial Cable Company were indorsed.

Yours, very truly,

FRANK WIGGINS, Secretary.

BALTIMORE, February 13, 1902.

HON. JOHN B. CORLISS,

Chairman, etc.

DEAR SIR: Your communication of some weeks ago addressed to the "Officers and members of the chamber of commerce," relative to the construction, ownership, and control of a Pacific cable extending from California to Hawaii, Manila, Japan, and China by our Government, came duly to hand, and the delay in acknowledging same has been due to our desire to await the report of the committee on law and transportation of this exchange, to which it was referred soon after its receipt by the board of directors. It was not, however, until last Monday, at the regular monthly meeting of the board, that the above committee submitted its report upon the subject, which is reproduced in full herewith.

Your committee reports as follows:

In view of the fact that we have good evidence before us that one of the great ocean cable companies is now laying a cable upon this route, over which the Government will have complete control (see accompanying report of this committee), we would deem it against business principles for the Government to embark in an operation which is both unnecessary and destructive of private rights and enterprise.

This proposition for a Government cable is a new departure, entirely outside of and entirely different from the operation of our Post-Office Department, under whose wing it is proposed the operation of this cable should be conducted. At the same time the Postmaster-General has in his control the fixing of the rates for Government business upon the proposed private cable, and retains in his hands the power to purchase the same in case the Government at any time should see fit to be owner of its own cable lines.

Your committee, therefore, does not recommend the adoption of the "Corliss bill," which recites that a Government cable across the Pacific Ocean is a public necessity, and that such cable shall be laid, owned, and controlled by the Government, and operated in the same manner as the Post-Office Department.

Yours, very truly,

BLANCHARD RANDALL,

DOUGLAS M. WYLIE,

Committee on Law and Transportation.

W. F. WHEATLEY,

Secretary Chamber of Commerce.

BALTIMORE, Md., February 7, 1902.

The President and Board of Directors
of the Baltimore Chamber of Commerce.

DEAR SIR: Your committee on transportation and law begs to report on the question contained in your letter of the 5th of February, inclosing a letter from the Baltimore manager of the Postal Telegraph Cable Company; also a pamphlet entitled "Pacific Cable; Should the Government Parallel the Cable of the Pacific Cable Company?"

Your committee has endeavored to get at the principal points embodied in this pamphlet of 40 pages, published entirely from an ex parte standpoint and giving but one side of the question, namely, that of the Commercial Cable Company.

The history of the case may be summed up in a few words; that in the acquisition of our Pacific island dependencies the Government of this country needed better cable facilities. A Government cable was the first idea. A private corporation, to be granted the subsidy of \$300,000 for twenty years, seems to have been the second project. A year or more later the Commercial Pacific Cable Company writes to the Secretary of State that it intends to lay this cable itself, as a business venture, making no conditions and asking no Government help, and proceeded with their own business and in their own way to lay their cable. Other projects for laying Pacific cables are evidently before Congress.

The chamber of commerce is asked to express disapprobation of any other company, but to distinctly state that the Pacific Cable Company, which is backed by the Postal Telegraph Cable Company, is entitled to all encouragement that can be extended to it by the Government. It seems to us that, as this company undertook this work as a business proposition, it is a business question which they and their rivals in business should settle among themselves.

As to the other point—that we should deprecate the passage of bill or bills by Congress which call, first, for a Government cable, and, second, for a subsidy of \$300,000 a year for twenty years to a company for the construction and operation of such a cable—it seems to this committee that our honorable body should not bestir itself, or give time to the consideration of such questions, for the reason that the Mackay cable (Pacific Cable Company), now building can be bought by the Government at any time at an appraised value, and the Postmaster-General can himself set the rate of cable tolls for the Government under the post-road act of Congress.

Again, it would seem almost impertinent for this body to warn Congress against so unbusiness-like a proceeding as to subsidize a company with \$300,000 per annum for twenty years when another company stands ready to do this work at reasonable, and presumably at the same, rates, without the additional payment of \$3,000,000. We do not think it is the duty of the Chamber of Commerce to so put itself on record.

Respectfully,

BLANCHARD RANDALL,

DOUGLAS M. WYLIE,

Committee on Law and Transportation.

Mr. RICHARDSON of Alabama. Now, if the Chairman and gentlemen of the House will excuse me, I would like to repeat a piece of poetry, which, according to my judgment, applies to the conduct of the gentleman from Michigan in this discussion. It comes back to me from the days gone by. It is this:

He wires in and wires out,
Leaving the House still in doubt
Whether the snake that crossed the track
Was coming forward or going back.

[Laughter and applause.]

Mr. SWANSON obtained the floor.

Mr. CORLISS. I would like to ask the gentleman from Alabama a question before he takes his seat.

The CHAIRMAN. The gentleman from Virginia [Mr. SWANSON] has the floor.

Mr. CORLISS. Before the gentleman from Alabama concludes his remarks, as he has plenty of time, I would like to ask him one or two questions.

Mr. RICHARDSON of Alabama. Well, I did not ask you any, and I do not believe—

Mr. CORLISS. Are you unwilling to answer?

Mr. RICHARDSON of Alabama. No; ask them.

Mr. CORLISS. Have you ever examined the grants held by the Eastern Extension Cable Company over Guam and the Philippine Islands?

Mr. RICHARDSON of Alabama. I have.

Mr. CORLISS. Do they not include exclusive privileges, giving the absolute control—

Mr. RICHARDSON of Alabama. I do not think so.

Mr. CORLISS. And the only way they can be obtained is to purchase by Government those rights?

Mr. RICHARDSON of Alabama. That I am not prepared to answer.

Mr. CORLISS. Does not the gentleman admit that the Commercial Cable Company have made an agreement with the company holding these monopolistic rights for landing privileges?

Mr. RICHARDSON of Alabama. No; in answer to that, Mr. Chairman, I would say the Commercial Pacific Cable Company guarantees that the rate of \$1.66 charged now from San Francisco to Manila shall be reduced to \$1, not only from San Francisco to Manila, but from San Francisco to China. Do not you admit that?

Mr. CORLISS. The gentleman denies—

Mr. RICHARDSON of Alabama. Well, I will simply play a Yankee habit and answer your question by asking another.

Mr. CORLISS. I will answer your question by saying that they propose to reduce the rate from \$1.66 to \$1; but I want you to answer my question.

Mr. RICHARDSON of Alabama. And did not the Commercial Cable Company do more in that direction than any other?

Mr. CORLISS. No, sir, never; and I will prove that to the satisfaction of this House. It raised the rate from 12½ cents to 25 cents, by means of a combination.

Mr. RICHARDSON of Alabama. Do not you admit that when the Commercial Cable Company went into operation the Atlantic charges were 50 cents?

Mr. CORLISS. No; they were 12½ cents until they combined, and they raised them to 25 cents.

Mr. RICHARDSON of Alabama. Do not you admit that it was 50 cents, and they went into a cable war and fought it out for two or three years and it was cut down to 12½ cents, and the Commercial Cable Company did that, and that the other companies then "threw up their hands" and cried for help, and asked them to leave it at 25 cents?

Mr. CORLISS. Will you answer the question—

Mr. RICHARDSON of Alabama. Do not you admit that is true?

Mr. CORLISS. It is not true in the way the gentleman states it.

Mr. RICHARDSON of Alabama. Oh, well, we will never agree.

Mr. CORLISS. No, we will not; but I want to ask you this question, and if you want to be fair to the House you will answer it.

Mr. RICHARDSON of Alabama. I will be fair, perfectly fair, to the House; but I think, Mr. Chairman, that I have taken up too much of the time of the House already, and the gentleman from Virginia [Mr. SWANSON] is waiting for his time.

Mr. SWANSON. I yield thirty minutes to the gentleman from Pennsylvania [Mr. GREEN].

[Mr. GREEN of Pennsylvania addressed the committee. See Appendix.]

The CHAIRMAN (Mr. BURKETT). The time of the gentleman has expired.

Mr. GRIGGS. I ask unanimous consent that the gentleman be given fifteen minutes longer.

The CHAIRMAN. Unanimous consent is asked that the gentleman be permitted to continue for fifteen minutes. Is there objection?

Mr. LOUD. Mr. Chairman, if the gentleman from Georgia [Mr. GRIGGS] will listen to me for a moment, there is a great desire on the part of a number of gentlemen to close the general debate to-night. The House, of course, will ultimately do what it desires to do. There are one or two gentlemen who, long be-

fore this bill was in Committee of the Whole, asked for time to speak upon it. If my colleague from Georgia [Mr. GRIGGS] will agree, I will ask that the general debate on this bill close with the session of to-day.

The CHAIRMAN. The gentleman from California [Mr. LOUD] asks unanimous consent that the general debate upon this bill close to-day.

Mr. GAINES of Tennessee. Mr. Chairman, will the House adjourn at the regular time, 5 o'clock?

Mr. LOUD. That will be about the time when I think we ought to adjourn.

Mr. GAINES of Tennessee. How many intervening speeches will there be between this and 5 o'clock?

Mr. LOUD. I do not know who wants to speak.

The CHAIRMAN. Is there objection?

Mr. GOLDFOGLE. Will that order interfere with the present list on the Chairman's desk?

Mr. GAINES of Tennessee. Yes; it does.

Mr. LOUD. Oh, yes; it will interfere.

Mr. GRIGGS. I ask my friend from California to let the debate continue for one hour to-morrow?

Mr. LOUD. I will make that request. I withdraw the other, and make the request that the general debate close to-morrow, one hour after we go into Committee of the Whole.

The CHAIRMAN. The gentleman from California asks unanimous consent that the general debate close after one hour in Committee of the Whole to-morrow.

Mr. CRUMPACKER. Before that question is submitted to the House, I should like to state that I want thirty minutes' time to discuss this bill. I want to speak against the subsidy feature of it, and I should like to have it arranged so that I could have the thirty minutes' time to-morrow.

Mr. LOUD. I will then add to the request that the time to-morrow be equally divided between the two sides represented by the gentleman from Virginia and myself, and I will yield the thirty minutes allotted to me to the gentleman from Indiana [Mr. CRUMPACKER].

The CHAIRMAN. The request of the gentleman from California is that the time to-morrow be equally divided.

Mr. LOUD. Between the gentleman from Virginia and the gentleman from California, and I will yield all my time to-morrow to the gentleman from Indiana.

The CHAIRMAN. The gentleman from California now makes the request for unanimous consent that the debate close after one hour on to-morrow, and that the time to-morrow be equally divided between the two sides, the gentlemen from Virginia [Mr. SWANSON] to control half for that side of the House, and the gentleman from California [Mr. LOUD] to control the other half. Is there objection?

Mr. MOON. I want to state to the Chair that on the question to be discussed the gentleman from California [Mr. LOUD] and the gentleman from Virginia [Mr. SWANSON] are on the same side. I wish to be heard on that question when it is discussed; therefore I shall object now.

The CHAIRMAN. Objection is made.

Mr. TALBERT. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina will state it.

Mr. TALBERT. My point of order is this, that the Committee of the Whole can not fix the time for closing general debate. I ask a ruling by the Chair on that question.

The CHAIRMAN. By unanimous consent the Committee of the Whole can agree to close general debate.

Mr. GRIGGS. Mr. Chairman, I should like to have the Chair put my request that the gentleman from Pennsylvania [Mr. GREEN] be allowed fifteen minutes further time.

The CHAIRMAN. The gentleman from Georgia [Mr. GRIGGS] asks unanimous consent that the gentleman from Pennsylvania [Mr. GREEN] be permitted to continue for fifteen minutes. Is there objection?

Mr. CRUMPACKER. I understand that I am on the list for to-night. I do not want to talk to-night, and with the understanding that I can have thirty minutes to-morrow or at some time in the future before the bill is voted on I make no objection.

Mr. GOLDFOGLE. Mr. Chairman, I am in the same position. The CHAIRMAN. Is there objection?

Mr. GAINES of Tennessee. Objection to what?

The CHAIRMAN. To the request that the gentleman from Pennsylvania be allowed fifteen minutes additional. The Chair hears no objection, and the gentleman from Pennsylvania [Mr. GREEN] is recognized for fifteen minutes.

[Mr. GREEN of Pennsylvania addressed the committee. See Appendix.]

Mr. GAINES of Tennessee rose.

Mr. LOUD. I will say to the gentleman from Tennessee that there seems to be a desire that the committee should now rise.

Mr. GAINES of Tennessee. Is there any agreement about general debate to-morrow?

Mr. LOUD. None whatever. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BURKETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Post-Office appropriation bill and had come to no resolution thereon.

DEATH OF HON. WILLIAM J. GLENN, DOORKEEPER.

Mr. PAYNE. Mr. Speaker, I offer the following resolutions, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. William J. Glenn, Doorkeeper of the House.

Resolved, That as a mark of respect to his memory the Speaker appoint a committee of seven to attend the funeral services.

The resolutions were unanimously agreed to.

The SPEAKER, in pursuance of the resolutions, appointed the following committee: Mr. VREELAND, Mr. SHERMAN, Mr. GILLET of New York, Mr. ALEXANDER, Mr. RYAN, Mr. LOUDENSLAGER, and Mr. WILSON.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2379. An act granting an increase of pension to George W. Evans—to the Committee on Invalid Pensions.

S. 2046. An act granting an increase of pension to Thomas E. Sauls—to the Committee on Invalid Pensions.

S. 2976. An act granting an increase of pension to Edward Thompson—to the Committee on Invalid Pensions.

S. 3390. An act granting an increase of pension to Charles Allen—to the Committee on Invalid Pensions.

S. 880. An act granting an increase of pension to Emory S. Foster—to the Committee on Invalid Pensions.

S. 3849. An act granting an increase of pension to Benjamin F. H. Luce—to the Committee on Invalid Pensions.

S. 2768. An act granting an increase of pension to John G. Hutchinson—to the Committee on Invalid Pensions.

S. 3514. An act granting an increase of pension to Leander Parmelee—to the Committee on Invalid Pensions.

S. 4111. An act granting an increase of pension to Abner J. Pettie—to the Committee on Invalid Pensions.

S. 1872. An act granting an increase of pension to Abbie George—to the Committee on Invalid Pensions.

S. 6. An act granting a pension to Charles H. Stone—to the Committee on Invalid Pensions.

S. 1095. An act granting an increase of pension to Mary Morgan—to the Committee on Invalid Pensions.

S. 4022. An act granting an increase of pension to Annie E. Brown—to the Committee on Invalid Pensions.

S. 2079. An act granting an increase of pension to William Wheeler—to the Committee on Invalid Pensions.

S. 3095. An act granting a pension to Susan E. Clark—to the Committee on Invalid Pensions.

S. 3916. An act granting an increase of pension to John S. Mitchell—to the Committee on Pensions.

S. 13. An act granting an increase of pension to George Daniels—to the Committee on Invalid Pensions.

S. 3253. An act granting an increase of pension to Jesse W. Bice—to the Committee on Invalid Pensions.

S. 1235. An act granting an increase of pension to Elizabeth Steele—to the Committee on Invalid Pensions.

S. 1809. An act to remove the charge of desertion now standing against Charles G. Brigham—to the Committee on Military Affairs.

S. 1634. An act to remove the charge of desertion against Thomas Cordingly—to the Committee on Naval Affairs.

S. 3632. An act granting a pension to Sarah C. Nicklin—to the Committee on Pensions.

S. 2293. An act for the relief of Matthew T. Lewis—to the Committee on Military Affairs.

S. 3431. An act granting an increase of pension to James E. Dexter—to the Committee on Invalid Pensions.

S. 4071. An act granting an increase of pension to George C. Tillman—to the Committee on Invalid Pensions.

S. 4214. An act granting an increase of pension to John McDonald—to the Committee on Invalid Pensions.

S. 1039. An act granting an increase of pension to Nathaniel C. Goodwin—to the Committee on Invalid Pensions.

S. 3216. An act granting an increase of pension to Henry M. Taylor—to the Committee on Invalid Pensions.

S. 2505. An act granting an increase of pension to John Barnard—to the Committee on Invalid Pensions.

S. 951. An act granting an increase of pension to Charles Am-brook—to the Committee on Invalid Pensions.

S. 965. An act granting an increase of pension to Ella B. Gamble—to the Committee on Invalid Pensions.

S. 2371. An act granting a pension to Andrew J. Felt—to the Committee on Invalid Pensions.

S. 2329. An act granting an increase of pension to Peter Bittman—to the Committee on Invalid Pensions.

S. 1979. An act granting an increase of pension to Samuel M. Howard—to the Committee on Invalid Pensions.

S. 3696. An act granting an increase of pension to Edward H. Armstrong—to the Committee on Invalid Pensions.

S. 3327. An act in amendment of sections 2326 of an act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States"—to the Committee on Military Affairs.

CHANGE OF REFERENCE.

By unanimous consent, the following changes of reference were made:

The bill (S. 2082) granting an increase of pension to Louise Ward, from the Committee on Invalid Pensions to the Committee on Pensions.

The bill (S. 1681) granting an increase of pension to Maria Louisa Michie, from the Committee on Invalid Pensions to the Committee on Pensions.

And then, on motion of Mr. LOUD (at 4 o'clock and 35 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, relating to the use of part of an appropriation for purchase of a device for filing money-order statements in the office of the Auditor for the Post-Office Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture submitting an estimate of appropriation for printing and binding—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William B. Horner against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Julia Walsh, administratrix of estate of Murtha Walsh, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of A. G. Cadle, administrator of estate of Mark Cadle, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of David G. Orr against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to the appropriation for lights on Isle aux Peches, Michigan—to the Committee on Interstate and Foreign Commerce.

A letter from the Acting Secretary of the Interior, transmitting, with a communication from the Commissioner of the General Land Office, a request that the manual of surveying instructions be legalized—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FOERDERER, from the Committee on Banking and Currency, to which was referred the bill of the Senate (S. 176) to provide for the extension of the charters of national banks, reported the same without amendment, accompanied by a report (No. 876); which said bill and report were referred to the House Calendar.

Mr. BRICK, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 89) to construct a road to the national cemetery at Dover, Tenn., reported the same without amendment, accompanied by a report (No. 878); which said bill

and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MINOR, from the Joint Select Committee on Useless Papers in the Executive Departments, to which was referred sundry documents, submitted a report (No. 882); which was ordered printed, and referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 5357) for the relief of William Leech, reported the same with amendments, accompanied by a report (No. 877); which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9870) to correct the military record of Reinhard Schneider, reported the same with amendment, accompanied by a report (No. 881); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6015) to remove the charge of desertion against Patrick Cassidy, reported the same adversely, accompanied by a report (No. 879); which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 7289) for the relief of Thomas McEntee, reported the same adversely, accompanied by a report (No. 880); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 5908) granting an increase of pension to Mrs. Clara W. McNair, widow of Rear-Admiral F. V. McNair—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12406) for the relief of John W. Foote, helpless child—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TAYLOR of Alabama: A bill (H. R. 12451) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities—to the Committee on Patents.

Also, a bill (H. R. 12452) granting to the Mobile, Jackson and Kansas City Railroad Company the right to use for railroad purposes the tract of land at Choctaw Point, Mobile County, Ala., and now held for light-house purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. NEVILLE: A bill (H. R. 12453) to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved August 23, 1894—to the Committee on the Public Lands.

By Mr. RICHARDSON of Tennessee: A memorial of the legislature of Tennessee, favoring the election of United States Senators by popular vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BLAKENEY: A bill (H. R. 12454) for the relief of William W. Kurz—to the Committee on Claims.

Also, a bill (H. R. 12455) granting an increase of pension to James L. Smith—to the Committee on Invalid Pensions.

By Mr. BOREING: A bill (H. R. 12456) for the relief of Edward Combs—to the Committee on Military Affairs.

By Mr. CROWLEY: A bill (H. R. 12457) to correct the military record of Brice Prater—to the Committee on Military Affairs.

By Mr. DARRAGH: A bill (H. R. 12458) granting an increase

of pension to William M. Barstow—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12459) granting a pension to George H. Daddysman—to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 12460) to correct the military record of John E. Wool—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 12461) to correct the military record of Frederick Soloten—to the Committee on Military Affairs.

Also, a bill (H. R. 12462) granting a pension to Hannah Waldron—to the Committee on Pensions.

By Mr. FOSS: A bill (H. R. 12463) granting an increase of pension to Samantha Williams—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 12464) granting a pension to Frances A. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12465) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on Military Affairs.

By Mr. GILLET of New York: A bill (H. R. 12466) granting an increase of pension to Philip Peterson—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12467) to remove the charge of desertion from Thomas Morgan, member of Company H, One hundred and twenty-sixth Regiment Illinois Infantry Volunteers—to the Committee on Military Affairs.

By Mr. HOWELL: A bill (H. R. 12468) for the relief of Phineas Curran—to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 12469) granting an increase of pension to Mary Mershon, widow of Thomas Mershon, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12470) granting a pension to Maranda Birkhead, widow of William O. Birkhead, deceased—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 12471) granting a pension to John H. Ayres—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12472) granting a pension to John T. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12473) granting a pension to Alfred Melvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12474) granting a pension to Levin W. Bothum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12475) granting a pension to James H. Weston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12476) granting a pension to J. Mitchell Collins—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12477) for the relief of Simon R. Hampton—to the Committee on Military Affairs.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 12478) granting an increase of pension to Conrad Laukenman—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 12479) for the relief of the First Presbyterian Church, Dalton, Ga.—to the Committee on War Claims.

By Mr. MCCLEARY: A bill (H. R. 12480) granting an increase of pension to Phoebe L. Peyton—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12481) for the relief of the estate of James H. Huey, deceased—to the Committee on War Claims.

By Mr. RAY of New York: A bill (H. R. 12482) granting an increase of pension to Eunice A. Smith—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12483) granting a pension to John F. Yeargin—to the Committee on Invalid Pensions.

By Mr. SCHIRM: A bill (H. R. 12484) granting an increase of pension to Joseph Inlose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12485) to remove the charge of desertion from the naval record of Philip Berger—to the Committee on Naval Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 12486) to pay and reimburse William J. Miller, Ann Arbor, Mich.—to the Committee on Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12487) for the relief of William Leech—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 12488) for the relief of Silas Borton—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 12489) granting an increase of pension to Ebenezer Wilson—to the Committee on Invalid Pensions.

By Mr. TALBERT: A bill (H. R. 12490) granting an increase of pension to Joseph Culbreath, late second lieutenant Company

L. Palmetto Regiment South Carolina Volunteers, in war with Mexico—to the Committee on Pensions.

By Mr. DRISCOLL: A bill (H. R. 12491) granting an increase of pension to Harvey Linsley—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12492) granting an increase of pension to Callie West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12493) for the relief of James Hilliard—to the Committee on War Claims.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 12494) to correct the military record of Thomas W. Miller—to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 12495) granting a pension to Amelia Hollinshead—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Flint Glass Workers' Union No. 65, of Homestead; Operative Potters' Union No. 51, of Canonsburg, Pa., and Lathers' Union of Charleroi, Pa., for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BULL: Resolution of Electrical Workers' Union No. 99, of Providence, R. I., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of the New England Shoe and Leather Association, urging the creation of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Division 57, Locomotive Engineers; Lodge No. 66, Railway Trainmen; Stereotypers' Union No. 53, and Cigar Makers' Union No. 10, all of Providence, R. I., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. BUTLER of Pennsylvania (by request): Resolutions of Carpenters' Union No. 587, Coatesville, Pa., and Boiler Makers' Union No. 17, of Chester, Pa., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. CALDERHEAD: Resolutions of Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, resolutions of Railroad Trainmen's Lodge No. 155, of Herrington, Kans., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CAPRON: Resolution of the New England Shoe and Leather Association, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Rhode Island Lodge, Mule Spinners' Association, Pawtucket, R. I., asking for a further restriction of the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Petition of Newspaper Mailers' Union, of Boston, Mass., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of National Shoe Wholesalers' Association, for removal of the tariff on hides—to the Committee on Ways and Means.

Also, petition of Penny Pouch Express Company, Boston, Mass., in relation to handling third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Typographical Union of New York City, favoring increase of letter carriers' salaries to \$1,200 per annum—to the Committee on the Post-Office and Post-Roads.

By Mr. CORLISS: Resolutions of Bricklayers' Union No. 2, of Detroit, Mich., urging the enactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Box Makers and Sawyers' Union No. 124, Stonecutters' Association, Tile Layers' Union, Street Railway Employees' Union, Steam Fitters' Association, Plasterers' Union, Bricklayers' Union, Upholsterers' Union, and Pattern Makers' Association, all of Detroit, Mich., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution directing the Attorney-General to institute proceedings under act of July 2, 1890, against Commercial Cable Company—to the Committee on Interstate and Foreign Commerce.

By Mr. CROMER: Resolutions of Indiana Engineers' Society,

urging that the Census Bureau should include municipal statistics—to the Committee on the Census.

Also, resolutions of Typographical Union No. 332, of Muncie, Ind., against the passage of bills amending the copyright law—to the Committee on Patents.

Also, resolution of Company F, Second Infantry, Indiana National Guard, favoring House bill 9972, increasing the efficiency of the militia—to the Committee on Militia.

Also, resolution of Perkinsville Post, No. 523, Grand Army of the Republic, Department of Indiana, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

Also, resolution of the Commercial Club of Muncie, Ind., endorsing the bill providing for increase of salaries of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Indiana State Board of Commerce, favoring amendment of the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Bricklayers' Union No. 16, of Alexandria; Midland Lodge No. 23, and Lodge No. 115, Mine Workers' Union, of Muncie; Bricklayers' Union No. 8, and Union No. 2, American Flint Glass Workers' Union, of Muncie, Ind., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 19, of Elwood; Trades Council of Dunkirk and Elwood; D. G. Reid Lodge, No. 15, of Elwood; W. A. Carney Union, No. 13; Alexandria Labor Union No. 55; Bricklayers' Union No. 16, of Alexandria; Retail Clerks' Union No. 29, and Local Assembly No. 2529, of Dunkirk; Typographical Union No. 332, and Junior Order United American Mechanics, of Muncie, and citizens of Boundary, all in the State of Indiana, favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Petition of Stanton Post, No. 37, Grand Army of the Republic, of Stanton, Mich., requesting an investigation of the administration of the Pension Bureau—to the Committee on Rules.

Also, resolution of Bricklayers' Union No. 8, of Traverse City, Mich., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 8, of Traverse City, Mich., favoring passage of law for exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. DEEMER: Petition of General Mansfield Post, No. 48, Grand Army of the Republic, Department of Pennsylvania, for an investigation of the administration of the Commissioner of Pensions—to the Committee on Rules.

Also, resolution of Bartenders' Union No. 9, and Bricklayers' Union No. 19, of Williamsport, favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolutions of Machinists' Lodge No. 140, and Division 184, Street Railway Employees, Williamsport, Pa.; Division 98, Railroad Telegraphers, Castanea, Pa.; Division 168, Railroad Conductors, Vilas, Pa., and Cigar Makers' Association No. 108, of Lockhaven, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EDWARDS: Resolutions adopted by the Bricklayers and Masons' Union No. 1, of Butte, Mont.; of Bricklayers' Union No. 2, of Anaconda, Mont.; of Bricklayers and Masons' Union No. 3, of Great Falls, Mont.; of Typographical Union No. 256, of Great Falls, and of Cigar Makers' Union No. 361, of Butte, Mont., favoring the exclusion of Chinese laborers from the United States and their insular possessions—to the Committee on Foreign Affairs.

Also, resolutions adopted by Bricklayers and Masons' Union No. 3 and of Typographical Union No. 256, of Great Falls, Mont., favoring an educational restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. EMERSON: Resolution of S. M. Weed Lodge, Brotherhood of Railroad Trainmen, of Plattsburg, N. Y., in regard to immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of W. H. Stevenson Post, No. 102, Grand Army of the Republic, of Moriah Center, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, paper to accompany House bill 12460, to amend the military record of John E. Wool—to the Committee on Military Affairs.

By Mr. FITZGERALD: Resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to \$1,200, and in cities of the second class to \$1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. FLEMING: Resolutions of Marshall Division, No. 449, Americus, Ga., Brotherhood of Locomotive Engineers, favoring

bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

By Mr. FOSS: Papers to accompany House bill 12463, granting a pension to Samantha Williams—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of Melville Thomas Post, No. 515, Grand Army of the Republic, Department of Indiana, requesting an investigation of the administration of the Pension Bureau—to the Committee on Rules.

Also, resolution of Lodge No. 207, Brotherhood of Railroad Trainmen, Seymour, and Lodge No. 15, of Elwood, Ind., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of Huckleberry Post, No. 391, Grand Army of the Republic, Department of Indiana, favoring the building of war ships in the navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Resolutions of Iron Molders' Union No. 337, of St. Johnsbury, Vt.; Machinists' Lodge No. 461, of Barre, Vt., and Railway Trackmen's Lodge No. 113, of South Barton, Vt., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HEDGE: Petition of Cigar Makers' Union No. 155, Mount Pleasant, Iowa, and Typographical Union No. 68, of Keokuk, Iowa, in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, memorial of Reformed Presbyterian Church of Wyman, Iowa, for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Leather Workers' Union No. 86, Burlington, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HITT: Resolution of E. B. Carr Lodge, No. 115, Brotherhood of Railway Trainmen, of Freeport, Ill., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. HEMENWAY: Petition of Marine Engineers' Beneficial Association No. 26, of Evansville, Ind., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. JACKSON of Kansas: Resolutions of Steam Engineers' Union No. 75, of Coffeyville, Kans.; Locomotive Engineers of Chanute, and Railway Conductors of Arkansas City, Kans., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill for the relief of Mrs. N. E. Bridges—to the Committee on Pensions.

By Mr. KEHOE: Petition of Woodworkers' Union No. 161, of Ashland, Ky., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. LAMB: Resolutions of Machinists' Lodge No. 10 and Tobacco Workers' Union of Richmond, Va., concerning immigration—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Resolutions of Tailors' Union No. 99 and Carpenters' Union No. 339, of Fort Worth; Carpenters' Union No. 608, of Weatherford, and Lampasas Union, No. 140, of Lampasas, Tex., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of Typographical Union No. 6, of New York, N. Y., in favor of increasing the compensation of letter carriers of first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Interstate Irrigation Congress, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

By Mr. LIVINGSTON: Resolution of Granite Cutters' Union of Lithonia, Ga., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 317, Atlanta, Ga., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Chamber of Commerce of Atlanta, Ga., favoring a reciprocity treaty with Cuba—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of Atlanta, Ga., for the construction by the Government of a Pacific cable—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Petition of various citizens of Hadonfield, N. J., for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

Also, resolutions of Bricklayers' Union No. 7; Division No. 170, Order of Railroad Conductors, and Typographical Union No. 132, all of Camden, N. J., favoring passage of the Chinese-exclusion bill—to the Committee on Foreign Affairs.

Also, resolutions of Carpenters' Union No. 620, Vineland, N. J.; Garment Workers' Union No. 101, Rosenhayn; Trenton Lodge No. 38, Railroad Trainmen; Division No. 22, Locomotive Engineers, and Carpenters' Union No. 121, of Bridgeton, N. J., for the

passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. McCALL: Petition of Cigar Makers' Union No. 169, of Cambridge, and International Union No. 35, of Lynn, Mass., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. McRAE: Resolutions of the Switchmen's Union, Lodge No. 147, of Texarkana, Ark., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MORRELL: Resolutions of Union No. 19, American Flint Glass Workers, Philadelphia, Pa., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Interstate Irrigation Congress, with reference to reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. NEVILLE: Resolutions of L. S. Cook Division, No. 389, of Fremont, Nebr., and of Division No. 303, Brotherhood of Locomotive Engineers, of Chadron, Nebr., favoring an educational qualification for immigrants, and for other purposes—to the Committee on Immigration and Naturalization.

Also, resolutions of the Interstate Irrigation Congress at Sterling, Colo., relating to irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. RAY of New York: Resolution of Chenango Lodge, No. 252, Railroad Trainmen, of Norwich, N. Y., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 17, of Ithaca, N. Y., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 12492, granting an increase of pension to Mrs. Callie West—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12493, for the relief of James Hilliard—to the Committee on War Claims.

By Mr. RIXEY: Resolutions of United Glass Bottle Blowers' Association, of Alexandria, Va., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Resolutions of Order of Railway Conductors No. 119, of Fort Wayne, and of Brotherhood of Railroad Trainmen, Lodge No. 586, of Ashley, Ind., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Journeymen Stonecutters, A. of N. A. (Fort Wayne Branch), favoring an educational qualification of immigrants—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Nebraska: Paper to accompany House bill 5693, granting a pension to Mrs. Sarah Harlow—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9475, granting a pension to John W. Genung—to the Committee on Invalid Pensions.

Also, papers to accompany House bill relating to the correction of the military record of Peter Coyle—to the Committee on Military Affairs.

By Mr. RUMPLE: Resolutions of Barbers' Union No. 116, Journeymen Barbers' International Union of America, of Davenport, Iowa, urging educational test in restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Painters, Paperhangers, and Decorators' Union No. 199, American Federation of Labor, of Davenport, Iowa, urging the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. RUPPERT: Resolution of Retail Grocers' Association of Brooklyn, N. Y., urging the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, urging an increase in the pay of certain letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of Grain Shovelers' Union No. 109, of Buffalo, N. Y., favoring enactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Outside Freight Handlers' Union No. 242, and of Buffalo Harbor, No. 41, American Association, Masters and Pilots of Steam Vessels, of Buffalo, N. Y., favoring enactment of House bill 9053, to enforce law of domicile—to the Committee on Labor.

Also, resolutions of Buffalo Harbor, No. 41, Masters and Pilots' Association, against House bill 10158—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHERMAN: Resolution of Bakers and Confectioners' Union No. 141, of Utica, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SIBLEY: Resolutions of Bricklayers, Masons, and Plasterers' Union No. 23, of Bradford, Pa.; of Central Labor Union of Kane, Pa.; of Journeymen Barbers' International Union of America, Union No. 91, and of Union No. 25, of Oil City, Pa., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petitions of Oil City Division, Order of Railway Conductors, No. 163; of Journeymen Bricklayers' International Union of America No. 91; of Brotherhood Boiler Makers and Iron Ship Builders' Union No. 156; of Iron Molders' Union No. 148, and of International Union No. 37, Plumbers and Gas and Steam Fitters, of Oil City, Pa.; of International Association of Machinists No. 422, of Bradford; of Franklin Lodge, No. 256, International Association of Machinists, of Franklin, and of Bottle Blowers' Union No. 47, of Sheffield, Pa., asking for the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

By Mr. HENRY C. SMITH: Paper to accompany House bill 7924, for the relief of Joseph R. Smith—to the Committee on Invalid Pensions.

Also, resolutions of Order of Railway Conductors, Wolverine Division, No. 182, asking that railroad trains be equipped with automatic couplers, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Comstock Post, No. 352, Grand Army of the Republic, of Michigan, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

By Mr. WM. ALDEN SMITH: Petitions of H. P. Clark Post, No. 153, Grand Army of the Republic, Department of Michigan, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of Bricklayers' Union No. 1, of Grand Rapids, Mich., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SPERRY: Resolution of Bridgeport Typographical Union, No. 329; R. J. Costello Lodge, No. 423, Brotherhood of Railroad Trainmen, of Waterbury, Conn.; Carpenters' Union No. 804, of Nantucket; Elm City Lodge, No. 201, Railroad Trainmen; Excelsior Lodge, No. 259, of Derby; Association of Machinists No. 362, of Ansonia, Conn.; and Coremakers' Union No. 85, of New Haven, Conn., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STEWART of New York: Resolution of Brotherhood of Boiler Makers and Shipbuilders of Schenectady, N. Y., advocating the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petitions of Woman's Christian Temperance unions of East Manchester, Littleton, West Unity, Webster, Boscawen, and Rindge, N. H., for the passage of the anti-polygamy amendment bill—to the Committee on the Judiciary.

By Mr. SUTHERLAND: Resolutions of Ogden Lodge, No. 127, International Association of Machinists, of Ogden; of Salt Lake Typographical Union, No. 115; of Iron Molders Union No. 231, and of Express Drivers' Local Union No. 108, of Salt Lake, Utah, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Order of Railway Conductors Division No. 124, of Ogden; of Tailors' Local Union No. 111, of Ogden, and of the Salt Lake Typographical Union, No. 115, of Salt Lake, Utah, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SULZER: Resolution of Typographical Union No. 6, of New York City, favoring increasing the salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of United Retail Grocers' Association of Brooklyn, N. Y., in favor of House bill 9353, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Alabama: Petition of Bricklayers' Union No. 2, of Mobile, Ala., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. WEEKS: Resolutions of Plumbers' Union No. 106, Team Drivers' Union No. 122, and Railroad Trainmen's Union No. 241, of Port Huron, Mich., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 300, of Port Huron, Mich., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. ZENOR: Resolutions of Iron Molders' Union No. 187, of New Albany, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, March 13, 1902.

Prayer by Rev. TEUNIS S. HAMLIN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

RATES OF MAIL PAY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, a statement prepared by the Commissioner of Navigation, relative to the rates of mail pay; which, with the accompanying paper, was ordered to lie on the table and be printed.

CREDENTIALS.

Mr. WELLINGTON presented the credentials of Arthur Pue Gorman, chosen by the legislature of the State of Maryland a Senator from that State for the term beginning March 4, 1903; which were read, and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 280) for the relief of James M. Stradling;
A bill (H. R. 482) granting a pension to Sarah Bowers;
A bill (H. R. 3515) granting a pension to Mary A. House;
A bill (H. R. 4488) granting an increase of pension to Selden E. Whitcher;

A bill (H. R. 6014) granting an increase of pension to William Rhenby; and

A bill (H. R. 8493) granting a pension to Harry H. Sieg.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8541) granting an increase of pension to Mahlon C. Moores.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9227) granting an increase of pension to Frederick Shafer, asks a conference with the Senate on the disagreeing votes of the two houses thereon, and had appointed Mr. CALDERHEAD, Mr. RUMPLE, and Mr. MORTON managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented petitions of Terre Haute Division, No. 92, Order of Railway Conductors, of Terre Haute, and of Seymour Division, No. 301, Order of Railway Conductors, of Seymour, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of R. E. Weidler and sundry other citizens of Garrett, of Edward Maidlow and sundry other citizens of Inglefield, of J. W. McCarty and sundry other citizens of Franklin, of C. M. Curtis and sundry other citizens of Osceola, of J. S. Denny and sundry other citizens of Campbellsburg, of G. A. Hottell and sundry other citizens of Georgetown, of B. A. Penn and sundry other citizens of Logansport, of W. H. Baynes and sundry other citizens of Salem, of Peter Soller and sundry other citizens of Shelbyville, of C. W. Lismon and sundry other citizens of Carlisle, of George Collins and sundry other citizens of South Bend, and of St. Joseph Grange, No. 584, of South Bend, all in the State of Indiana, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. HOAR presented a petition of Local Division No. 237, Order of Railway Conductors, of Worcester, Mass., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of Bricklayers and Masons' Local Union No. 40, American Federation of Labor, of Beverly, Mass., and a petition of Journeymen Plumbers' Local Union No. 127, American Federation of Labor, of Cambridge, Mass., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.